



City of Fitchburg
5520 Lacy Road
Fitchburg, WI 53711-5318
Phone: (608) 270-4200 Fax (608) 270-4275
www.fitchburgwi.gov

**AGENDA
BOARD OF PUBLIC WORKS
February 16, 2015
5:30 P.M.
CITY HALL**

NOTICE IS HEREBY GIVEN that the Board of Public Works will meet at 5:30 P.M. on Monday, February 16, 2015 in the **Council Chambers** at City Hall, 5520 Lacy Road to consider and act on the following:

(Note: Full coverage of this meeting is available through FACTv and Streaming Video, accessible on the city web site at <http://factv.city.fitchburg.wi.us/Cablecast/Public/Main.aspx?ChannelID=3>)

- 1. Call to Order**
- 2. Public Appearances – Non Agenda Items**
- 3. Approval of January 21, 2015 Minutes**
- 4. Review of January 2015 Utility Bills**
- 5. Report of Director of Public Works**
 - a. Public works projects/activities
 - b. Stormwater biennial report
- 6. Resolution R-107-14 - Authorizing Purchase and Installation of Three Shade Structures and Other Improvements at McKee Farms Park Splashpad - (Staff Recommends Rejection of Bids).**
- 7. Resolution R-12-15 – A Resolution Accepting an Underground Electric-Gas Main Right-Of-Way Grant on Outlot 6 in the Plat of North Park, City of Fitchburg, WI**
- 8. Resolution R-13-15 – A Resolution Accepting an Agreement of Easement for Public Pedestrian/Bike Path on Lot 24 in the Plat of Techlands, City of Fitchburg, Wisconsin**
- 9. Resolution R-15-15 - First Amendment to the Agreement for Subdivision Improvements in the Plat of Nine Springs**
- 10. Announcements**
 - a. Next Board of Public Works Meeting – March 2, 2015
- 11. Adjournment**

Note: It is possible that members of and possibly a quorum of members of other government bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Fitchburg City Hall, 5520 Lacy Road, Fitchburg WI 53711, (608) 270-4200



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**MINUTES
BOARD OF PUBLIC WORKS
January 21, 2015
5:30 P.M.
CITY HALL**

NOTICE IS HEREBY GIVEN that the Board of Public Works will meet at 5:30 P.M. on Monday, January 21, 2015 in the **Council Chambers** at City Hall, 5520 Lacy Road to consider and act on the following:

(Note: Full coverage of this meeting is available through FACTv and Streaming Video, accessible on the city web site at <http://factv.city.fitchburg.wi.us/Cablecast/Public/Main.aspx?ChannelID=3>)

Board of Public Works Members Present: Richard Bloomquist, Dorothy Krause, Michael Gernetzke (David Herbst, David Willborn- excused)

Others Present: Cory Horton, Director of Public Works

1. **Call to Order-** The meeting of the Board of Public Works was called to order by Bloomquist at 5:32 p.m.
2. **Public Appearances – Non Agenda Items-** None
3. **Approval of January 5, 2015 Minutes –** (video time 01:20)
 - a. Motion to approve made by Gernetzke
 - b. Seconded by Krause
 - c. Motion carried
4. **Review of December 2014 Utility Bills**
 - a. Motion to approve made by Krause
 - b. Seconded by Gernetzke
 - c. Motion carried
5. **Report of Director of Public Works**
 - a. Horton provided project/construction updates, schedules of current projects, upcoming bids and staff updates. Board asked questions, discussed
6. **Resolution R-02-15** – Authorizing Acceptance of the Stormwater Pond Project Bid- (video 06:55)
 - a. Motion to approve made by Krause
 - b. Seconded by Gernetzke
 - c. Board asked questions, discussed
 - d. Resolution approved, awarded to Badgerland Excavating

7. **Resolution R-03-15** – Final Resolution Exercising Police Powers and Levying Special Assessments for 2014 Curb and Gutter Replacement in the City of Fitchburg, Wisconsin (video time 09:57)
 - a. Motion to approve made by Gernetzke
 - b. Seconded by Krause
 - c. Board asked questions, discussed
 - d. Resolution approved
8. **Resolution R-05-15** – Resolution to Approve Amendment to Techlands Development Agreement (video 22:35)
 - a. Motion to approve made by Krause
 - b. Seconded by Gernetzke
 - c. Board asked questions, discussed
 - d. Resolution approved
9. **Announcements**
 - a. Next Board of Public Works Meeting – February 2, 2015 at 5:30 p.m.
10. **Adjournment-** Adjournment at 6:05 p.m.
 - a. Motion to adjourn made by Bloomquist
 - b. Seconded by Gernetzke
 - c. Motion carried

Note: It is possible that members of and possibly a quorum of members of other government bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Fitchburg City Hall, 5520 Lacy Road, Fitchburg WI 53711, (608) 270-4200

Report Criteria:

Report type: GL detail

Invoice Detail.GL account = "60010700"-"6015933300"

GL Period	Check Number	Payee	Description	GL Account	Check Amount
01/07/2015					
01/15	108902	AMERICAN WATER WOR	2015 MEMBERSHIP DUES	6005930100	325.00
01/15	108906	BAKER TILLY VIRCHOW	FINANCIAL STATEMENT AUDIT	6005923100	452.00
01/15	108906	BAKER TILLY VIRCHOW	FINANCIAL STATEMENT AUDIT	6005852200	452.00
01/15	108906	BAKER TILLY VIRCHOW	FINANCIAL STATEMENT AUDIT	6015923300	451.00
01/15	108912	CIVIC SYSTEMS LLC	SEMI-ANNUAL SOFTWARE SUPPORT FEES	6005921101	1,051.67
01/15	108912	CIVIC SYSTEMS LLC	SEMI-ANNUAL SOFTWARE SUPPORT FEES	6005851201	1,051.67
01/15	108912	CIVIC SYSTEMS LLC	SEMI-ANNUAL SOFTWARE SUPPORT FEES	6015930301	1,051.66
01/15	108916	CTW CORPORATION	REDUCING VALVE REPAIR	6005633100	340.00
01/15	108928	FIRST SUPPLY MADISON	VALVE BOX REPAIR PARTS	6005631100	36.07
01/15	108928	FIRST SUPPLY MADISON	SAMPLING STA PARTS - WELL 7/8	6005652100	60.19
01/15	108935	G & K SERVICES	UNIFORMS RENTAL - UTILITY	6005926100	11.06
01/15	108935	G & K SERVICES	UNIFORMS RENTAL - UTILITY	6005854200	11.05
01/15	108935	G & K SERVICES	UNIFORMS RENTAL - UTILITY	6005926100	16.89
01/15	108935	G & K SERVICES	UNIFORMS RENTAL - UTILITY	6005854200	16.89
01/15	108945	HILL ELECTRIC	HEATER REPAIR - BOOSTER STATION	6005626100	657.06
01/15	108953	LW ALLEN INC	WELL #5 MAINTENANCE	6005633100	1,213.32
01/15	108960	NAPA AUTO PARTS	SEWER TRUCK REPAIR	6005828200	24.90
01/15	108963	OFFICE DEPOT	OFFICE SUPPLIES	6005921100	25.06
01/15	108963	OFFICE DEPOT	OFFICE SUPPLIES	6005851200	25.05
01/15	108963	OFFICE DEPOT	OFFICE SUPPLIES	6015921300	25.05
01/15	108963	OFFICE DEPOT	OFFICE SUPPLIES	6005921100	6.49
01/15	108963	OFFICE DEPOT	OFFICE SUPPLIES	6005851200	17.98
01/15	108974	SPRINT PRINT	MAILING 4TH QUARTER BILLS	6005903100	212.21
01/15	108974	SPRINT PRINT	MAILING 4TH QUARTER BILLS	6005840200	212.21
01/15	108974	SPRINT PRINT	MAILING 4TH QUARTER BILLS	6015903300	212.21
01/15	108975	STANTEC CONSULTING	STORMWATER MASTER PLAN FOR NINE SPRINGS	6015923301	564.00
01/15	108989	WISCONSIN STATE JOU	RENEW SUBSCRIPTION 2015	6005930100	57.64
01/15	108989	WISCONSIN STATE JOU	RENEW SUBSCRIPTION 2015	6005856200	57.63
01/15	108989	WISCONSIN STATE JOU	RENEW SUBSCRIPTION 2015	6015930300	57.63

M = Manual Check, V = Void Check

GL Period	Check Number	Payee	Description	GL Account	Check Amount
Total 01/07/2015:					8,695.59
01/14/2015					
01/15	109240	LEAGUE OF WI MUNICIP	LWM LOCAL GOVERNMENT SW GROUP MMBSP 2	6015923301	600.00
01/15	109243	MADISON GAS & ELECT	DECEMBER 2014 BILLS	6005623100	20,503.43
01/15	109265	VERIZON WIRELESS	MODEM SERVICE THRU 12/23/2014	6005921100	54.10
01/15	109265	VERIZON WIRELESS	MODEM SERVICE THRU 12/23/2014	6005851200	54.11
Total 01/14/2015:					21,211.64
01/15/2015					
01/15	109273	HD SUPPLY WATERWOR	160 - 3/4" IPERL METERS & 162 MIUS	60010722	32,838.00
Total 01/15/2015:					32,838.00
01/22/2015					
01/15	109519	G & K SERVICES	UNIFORMS RENTAL - UTILITY	6005926100	57.99
01/15	109519	G & K SERVICES	UNIFORMS RENTAL - UTILITY	6005854200	57.99
01/15	109519	G & K SERVICES	UNIFORMS RENTAL - UTILITY	6005926100	11.08
01/15	109519	G & K SERVICES	UNIFORMS RENTAL - UTILITY	6005854200	11.09
01/15	109519	G & K SERVICES	UNIFORMS RENTAL - UTILITY	6005926100	11.10
01/15	109519	G & K SERVICES	UNIFORMS RENTAL - UTILITY	6005854200	11.11
01/15	109519	G & K SERVICES	UNIFORMS RENTAL - UTILITY	6005926100	11.10
01/15	109519	G & K SERVICES	UNIFORMS RENTAL - UTILITY	6005854200	11.11
01/15	109525	H J PERTZBORN PLUMBI	ANNUAL INSPECTION - WELL #11	6005631100	250.00
01/15	109527	HD SUPPLY WATERWOR	160 - 3/4" IPERLS	60010722	16,800.00
01/15	109528	HYPERTC	NETWORK CARDS - STORM UD	6015930301	54.85
01/15	109528	HYPERTC	NETWORK CARDS - UTILITY WATER	6005921101	109.70
01/15	109528	HYPERTC	NETWORK CARDS - UTILITY SEWER	6005851201	54.84
01/15	109529	HY-VEE ACCOUNTS REC	RETIREMENT CAKE - TIM SHACKLETON	6005930100	50.99
01/15	109535	MADISON METRO SEWE	YAHARA WATERSHED ADAPTIVE MGMT	6015923302	17,900.00
01/15	109539	MCCULLOUGH, MARGAR	TOILET REBATE	6005856200	100.00
01/15	109542	MINNESOTA COMPUTER	POWER SUPPLY - STORM UD	6015930301	102.49

GL Period	Check Number	Payee	Description	GL Account	Check Amount
01/15	109542	MINNESOTA COMPUTER	POWER SUPPLY - UTILITY WATER	6005921101	103.72
01/15	109542	MINNESOTA COMPUTER	POWER SUPPLY - UTILITY SEWER	6005851201	102.48
01/15	109542	MINNESOTA COMPUTER	NETWORK SWITCH - STORM UD	6015930301	50.80
01/15	109542	MINNESOTA COMPUTER	NETWORK SWITCH - UTILITY WATER	6005921101	101.60
01/15	109542	MINNESOTA COMPUTER	NETWORK SWITCH - UTILITY SEWER	6005851201	50.79
01/15	109558	SEH TECHNOLOGY SOL	PERMITRACK 4TH QUARTER 2014 PERMIT FEES	6015923300	267.00
01/15	109562	STRAND ASSOCIATES	VERONA RD - UTILITY RELOCATIONS DESIGN	60010727	7,584.01
01/15	109564	TDS	UTILITY - WATER PORTION	6005921100	56.02
01/15	109564	TDS	UTILITY - SEWER PORTION	6005851200	31.66
01/15	109567	U S CELLULAR	SEWER - CELL	6005851200	3.23
01/15	109567	U S CELLULAR	WATER - CELL	6005921100	3.22
01/15	109567	U S CELLULAR	SEWER - CELL	6005851200	3.23
01/15	109567	U S CELLULAR	WATER - CELL	6005921100	3.22
01/15	109570	VERIZON WIRELESS	CELL PHONES - AMI	60010722	6.10
01/15	109570	VERIZON WIRELESS	CELL PHONES - SEWER	6005851200	57.63
01/15	109570	VERIZON WIRELESS	CELL PHONE CREDIT - SEWER	6005851200	2.13-
01/15	109578	WISCONSIN INDEPENDENCE	INTERNET SERVICE - STORM UD	6015930301	4.83
01/15	109578	WISCONSIN INDEPENDENCE	INTERNET SERVICE - UTILITY WATER	6005921101	9.66
01/15	109578	WISCONSIN INDEPENDENCE	INTERNET SERVICE - UTILITY SEWER	6005851201	4.83
01/15	109583	VERIZON WIRELESS	CELL PHONE - WATER	6005921100	41.51
Total 01/22/2015:					44,088.85
01/28/2015					
01/15	109616	A T & T MOBILITY	UTILITY TABLET 608-556-8176	6005921100	34.61
01/15	109616	A T & T MOBILITY	UTILITY TABLET 608-609-8735	6005921100	34.60
01/15	109622	BATTERIES PLUS LLC	BATTERIES - UPS BACKUP-12V	6005631100	457.26
01/15	109629	CITY TREASURER - MADI	FLAT RATE WATER	6005602100	77.50
01/15	109629	CITY TREASURER - MADI	WATER CONSUMPTION	6005602100	357.85
01/15	109639	FEHR GRAHAM	SAFETY PLAN SERVICES	6005925100	1,268.95
01/15	109640	FIRST SUPPLY MADISON	MISCELLANEOUS SUPPLIES	6005662100	67.00
01/15	109640	FIRST SUPPLY MADISON	MISCELLANEOUS SUPPLIES	6005673100	124.00
01/15	109645	G & K SERVICES	UNIFORMS RENTAL - UTILITY	6005926100	11.13
01/15	109645	G & K SERVICES	UNIFORMS RENTAL - UTILITY	6005854200	11.14

GL Period	Check Number	Payee	Description	GL Account	Check Amount
01/15	109650	HAMMERSLEY STONE C	MAINT OF MAINS	6005673100	313.47
01/15	109678	SOUTH CENTRAL CONT	WATER MAIN BREAK/APACHE & CRESCENT	6005673100	1,508.00
01/15	109684	TDS	UTILITY PORTION - WATER	6005921100	55.72
01/15	109684	TDS	UTILITY PORTION - SEWER	6005851200	31.38
01/15	109689	WI STATE LABORATORY	WATER TESTING	6005642100	626.00
01/15	109693	WOODWARD COMMUNIT	POSTAGE & PRINTING - 25%	6015930302	146.03
Total 01/28/2015:					5,124.64
Grand Totals:					111,958.72

Summary by General Ledger Account Number

GL Account	Debit	Credit	Proof
600-10722	49,644.10	.00	49,644.10
600-10727	7,584.01	.00	7,584.01
600-21100	2.13	90,473.30-	90,471.17-
600-5602-100	435.35	.00	435.35
600-5623-100	20,503.43	.00	20,503.43
600-5626-100	657.06	.00	657.06
600-5631-100	743.33	.00	743.33
600-5633-100	1,553.32	.00	1,553.32
600-5642-100	626.00	.00	626.00
600-5652-100	60.19	.00	60.19
600-5662-100	67.00	.00	67.00
600-5673-100	1,945.47	.00	1,945.47
600-5828-200	24.90	.00	24.90
600-5840-200	212.21	.00	212.21
600-5851-200	224.27	2.13-	222.14
600-5851-201	1,264.61	.00	1,264.61
600-5852-200	452.00	.00	452.00

GL Account	Debit	Credit	Proof
600-5854-200	130.38	.00	130.38
600-5856-200	157.63	.00	157.63
600-5903-100	212.21	.00	212.21
600-5921-100	314.55	.00	314.55
600-5921-101	1,376.35	.00	1,376.35
600-5923-100	452.00	.00	452.00
600-5925-100	1,268.95	.00	1,268.95
600-5926-100	130.35	.00	130.35
600-5930-100	433.63	.00	433.63
601-21100	.00	21,487.55-	21,487.55-
601-5903-300	212.21	.00	212.21
601-5921-300	25.05	.00	25.05
601-5923-300	718.00	.00	718.00
601-5923-301	1,164.00	.00	1,164.00
601-5923-302	17,900.00	.00	17,900.00
601-5930-300	57.63	.00	57.63
601-5930-301	1,264.63	.00	1,264.63
601-5930-302	146.03	.00	146.03
Grand Totals:	<u>111,962.98</u>	<u>111,962.98-</u>	<u>.00</u>

Report Criteria:

Report type: GL detail

Invoice Detail.GL account = "60010700"-"6015933300"



Staff Memo

City of Fitchburg
5520 Lacy Road
Fitchburg, WI 53711
608-270-4264
www.fitchburgwi.gov

To:	Cory Horton, P.E., Director of Public Works/City Engineer, Resource Conservation Commission & Board of Public Works
Cc:	Felipe Avila, GIS Engineering Specialist; Mark Hodel, Streets Supervisor; Ian Hansen, Stormwater/Utilities Intern
From:	Rick Eilertson, Environmental Engineer
Date:	February 11, 2015
Subject:	Fitchburg's 2013-2014 Biennial Report on Stormwater Activities

Attached for your review is a copy of the 2013 – 2014 Biennial Report that Felipe Avila, Mark Hodel, Ian Hansen, and I have prepared to meet Fitchburg's Municipal Separate Storm Sewer System (MS4) requirements as part of our participation in the Madison Area Municipal Stormwater Partnership (MAMSWaP) Group Permit (Wisconsin Pollutant Discharge Elimination System Permit WI-S058416-3).

The final signed version of this report will need to be sent to the Wisconsin Department of Natural Resources by March 31, 2015 and posted on Fitchburg's Stormwater web page (www.fitchburgwi.gov/stormwater).

Please feel free to contact me if you have any questions, comments, and/or suggestions related to this report.

Thank you!

2013-2014 (Due by March 31, 2015)

For the Cities of Fitchburg, Madison, Middleton, Monona, Sun Prairie, and Verona; the Villages of DeForest, Maple Bluff, McFarland, Shorewood Hills, and Waunakee; the Towns of Blooming Grove, Burke, Madison, Middleton, Westport, and Windsor; Dane County; and the University of Wisconsin – Madison

This document is for the purpose of biennial reporting on activities undertaken pursuant to WPDES Permit No. WI-S058416-3 for the above listed municipalities. An owner or operator of a municipal separate storm sewer system covered by a municipal storm water discharge permit under Chapter NR 216, Wis. Adm. Code, is required to submit a biennial report to the Department of Natural Resources by March 31 of every odd numbered year to report on activities for the previous two (2) calendar year. Information in the biennial report will be used by the Department of Natural Resources to assist with assessing permit compliance. Use of this specific form is optional. The Department of Natural Resources has created this form for the user's convenience and believes that the information requested on this form meets the reporting requirements for an owner or operator of a municipal separate storm sewer system covered by WPDES Permit No. WI-S058416-3. However, an owner or operator of a municipal separate storm sewer system that uses and completes this form will not automatically be deemed to be in compliance with other requirements of WPDES Permit No. WI-S058416-3.

Complete and submit the biennial report by March 31, 2015, to the following address: Storm Water Management Specialist, Wisconsin Dept. of Natural Resources, South Central Region, 3911 Fish Hatchery Rd., Fitchburg, WI 53711

I. MUNICIPAL INFORMATION

Name of municipality City of Fitchburg	Contact person and title Rick Eilertson, Environmental Engineer
Mailing Address 5520 Lacy Road Fitchburg, WI 53711	Telephone no. (608) 270-4264
	Fax no. (608) 270-4275
	E-mail address rick.eilertson@fitchburgwi.gov

Does the municipality have an internet website? ☒ Yes ☐ No

If yes, provide internet address:

<http://www.fitchburgwi.gov>

If the municipality has an internet website, is there current information posted about or links provided to the municipal storm water discharge permit and the municipality's storm water management program? ☒ Yes ☐ No

If yes, provide internet address:

<http://www.fitchburgwi.gov/stormwater>

II. CERTIFICATION

I certify that the information contained in this document and all attachments were gathered and prepared under my direction or supervision. Based on my inquiry of the person or persons under my direction or supervision involved in the preparation of this document, to the best of my knowledge, the information is true, accurate, and complete. I further certify that the municipality's governing body or delegated representatives have reviewed or been apprised of the contents of the biennial report.

Authorized representative printed name Cory Horton, P.E.	Authorized representative title City Engineer / Director of Public Works
Authorized representative signature	Date signed

III. GENERAL INFORMATION

a. Has the municipality made any changes under its legal authority that affects implementation of the requirements of the municipal storm water discharge permit (e.g., changes to ordinances)? ☒ Yes ☐ No

If yes, describe the changes in **Appendix A**.

b. List the people who attended quarterly meetings on behalf of the municipality and indicate the quarterly meetings in which the municipality was represented for the reporting year.

<u>Name</u>	<u>Title</u>	<u>Affiliation</u>
<u>Rick Eilertson</u>	<u>Environmental Engineer</u>	<u>City of Fitchburg</u>
<u>Felipe Avila</u>	<u>GIS Engineering Specialist</u>	<u>City of Fitchburg</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

c. Quarterly meetings represented: ☒ February 2013 ☒ May 2013 ☒ August 2013 ☒ November 2013
☒ February 2014 ☒ August 2014

d. Describe in **Appendix A** how the municipality internally coordinates implementation of the requirements of the municipal storm water discharge permit between the municipality's agencies, departments, and programs. Provide any documentation on how this was accomplished, such as meeting agendas, minutes, memos, etc.

e. Describe in **Appendix A** how elected and municipal officials and appropriate staff are kept apprised of the municipal storm water discharge permit. Provide any documentation on how this was accomplished, such as meeting agendas, minutes, memos, etc.

f. Has the municipality prepared its own municipal-wide storm water management plan? ☐ Yes ☒ No

If yes, date of storm water management plan:

g. Describe in **Appendix A** how the requirements of the municipal storm water discharge permit are incorporated into master planning activities, neighborhood plans, development plans, or other comprehensive planning activities.

IV. Permit Conditions

a. Public Education and Outreach

Dane County only:

1. Has any municipality failed to submit its financial contribution in accordance with the *Intergovernmental Agreement to Create and Fund a Position Responsible for Storm Water Management Education and Outreach*? ☐ Yes ☐ No

If yes, list municipalities:

2. Describe in **Appendix B** the Information and Education plan implementation and activities for the reporting year(s), including any materials produced and their distribution. Provide examples. Include an assessment of the effectiveness of reaching targeted audiences and delivery of intended messages.

All municipalities:

3. Describe in **Appendix B** how any materials produced by Dane County on behalf of the municipality have been used and/or distributed. Provide examples.

4. Describe in **Appendix B** any individual information and education activities undertaken for the reporting year, including any materials produced and their distribution. Provide examples. Include an assessment of the effectiveness of reaching targeted audiences and delivery of intended messages.

b. Public Involvement and Participation

1. The group permit requires that the information in this biennial report be an agenda item for discussion before the appropriate governing board(s) or council(s) contemporaneous with the submittal of the biennial report to the Department of Natural Resources. Accordingly, please provide the following information:

2. Name of board(s)/council(s):

Fitchburg's Resource Conservation Commission (RCC)

3. Date(s) of meeting(s) to discuss the biennial report:

RCC: February 16, 2015. Electronic copies were also sent to the Board of Public Works and Council in February 2015.

4. Describe in **Appendix B** the opportunities and types of forums for public involvement and participation in permit related activities that occurred during the reporting year. Include an assessment of the effectiveness of efforts to involve the public and the level of participation.

c. Illicit Discharge Detection and Elimination

1. Describe in **Appendix B** the illicit discharge detection and elimination program developed to comply with the permit. Include information on the municipality's strategy to prevent, detect, and eliminate all types of illicit discharges; how priorities are established for field screening and the methodologies to be used for field screening; and procedures for responding to and rectifying illicit discharges to the MS4, including spills, improper disposal of waste or dumping. Also include an assessment of the effectiveness of detection and elimination of illicit discharges, prevention of improper disposal of waste and dumping, the handling of spills, and any enforcement efforts involving these activities.

2. Has the municipality performed any field screening for the reporting year? ☒ Yes ☐ No
If yes, please provide documentation in **Appendix B** the results of the field screening.

3. Has the municipality investigated any instances of spills, improper disposal of waste or dumping? ☒ Yes ☐ No
If yes, please provide documentation in **Appendix B** the results of the investigations.

4. Describe in **Appendix B** how the municipality facilitates public reporting of illicit discharges.

d. Construction Site Pollution Control

1. Does the municipality notify landowners who apply for local construction or land disturbing permits of the possible applicability of Subchapter III of Chapter NR 216, Wis. Adm. Code, *Construction Site Storm Water Discharge Permits*, to the landowners' construction projects? ☒ Yes ☐ No

If yes, please explain the process for providing this notification. If no, please explain why this notification is not provided.

This notification is incorporated into the Erosion Control & Stormwater Management Permit Application checklist and discussed with the applicant during the permit review process.

2. Describe in **Appendix B** the procedures the municipality employs to incorporate timely consideration of potential water quality impacts from construction sites and that ensure implementation of the standards of ss. NR 151.11 and 151.23, Wis. Adm. Code, or equivalent local standards. Be specific of when in the review and approval process this is done, and how the municipality ensures compliance with the standards.

3. Describe in **Appendix B** the procedures the municipality employs for the inspection of construction sites and enforcing erosion control standards. Provided documentation of any enforcement actions taken that resulted in the issuance of a stop work order, citation, or summons for a construction site where one or more acre of land is disturbed. Include the name and address of the landowner, the site name and location, date(s) of violation(s), type of violation(s), and the status of resolution of the enforcement action.

4. List the name, title, address, telephone number, e-mail address, and duties of all persons designated with the responsibility to ensure implementation of the standards of ss. NR 151.11 and 151.23, Wis. Adm. Code, or equivalent local standards.

Rick Eilertson, P.E., Environmental Engineer

5520 Lacy Road, Fitchburg, WI 53711, 608 270-4264, rick.eilertson@fitchburgwi.gov

-Plan review, Site inspections

Felipe Avila, Engineering/GIS Specialist

5520 Lacy Road, Fitchburg, WI 53711 608 270-4277, felipe.avila@fitchburgwi.gov

-Plan review, Site inspections

5. Include in **Appendix B** an assessment of the municipality's construction site pollution control program effectiveness in meeting the standards of ss. NR 151.11 and 151.23, Wis. Adm. Code, including enforcement efforts.

e. Post-Construction Site Storm Water Management

1. Describe in **Appendix B** the procedures the municipality employs to incorporate timely consideration of potential water quality impacts from construction sites and that ensure implementation of the standards of ss. NR 151.12 and 151.24, Wis. Adm. Code, or equivalent local standards. Be specific of when in the review and approval process this is done, and how the municipality ensures compliance with the standards.

2. Describe in **Appendix B** the procedures the municipality employs for inspecting the construction and installation of storm water best management practices and enforcement actions to ensure compliance with post-construction storm water management standards. Provided documentation of any enforcement actions taken that resulted in the issuance of a stop work order, citation, or summons for non-compliance with post-construction storm water management standards for sites where one or more acre of land is disturbed. Include the name and address of the landowner, the site name and location, date(s) of violation(s), type of violation(s), and the status of resolution of the enforcement action.

3. List the name, title, address, telephone number, e-mail address, and duties of all persons designated with the responsibility to ensure implementation of the standards of ss. NR 151.12 and 151.24, Wis. Adm. Code, or equivalent local standards, and the requirements of Subchapter III of Chapter NR 216, Wis. Adm. Code, *Construction Site Storm Water Discharge Permits*, where applicable.

Rick Eilertson, P.E., Environmental Engineer

5520 Lacy Road, Fitchburg, WI 53711, 608 270-4264, rick.eilertson@fitchburgwi.gov

-Plan review, Site inspections

Felipe Avila, Engineering/GIS Specialist

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-Plan review, Site inspections

4. Include in **Appendix B** an assessment of the municipality's post-construction site storm water management program effectiveness in meeting the standards of ss. NR 151.12 and 151.24, Wis. Adm. Code, including enforcement efforts.

f. Municipal Pollution Prevention

1. List in **Appendix B** an inventory of long-term storm water best management practices owned, operated, managed, or maintained by the municipality. Include storm water basins, infiltration practices, treatment structures, and other practices for long-term water quality treatment. For each best management practice, provide the name, location, type of practice, and any maintenance activities undertaken for the practice during the reporting year. Also in **Appendix B**, provide a description of the maintenance procedures used and schedules for each long-term storm water best management practice and the approximate amount of solids collected (tons or cubic yards) from any structural control receiving maintenance.

2. Does the municipality perform catch basin cleaning? ☒ Yes ☐ No

If yes, approximate amount of solids collected (tons or cubic yards): ~10 cy in 2013 and ~8 cy in 2014 Describe in **Appendix B** the procedures used and schedules for catch basin cleaning. If no, explain:

3. Does the municipality perform street sweeping? ☒ Yes ☐ No

If yes, approximate number of street miles swept: ~4,000 miles in 2013 and ~3,500 miles in 2014 approximate amount of solids collected (tons or cubic yards): ~500 cy in 2013 and ~450 cy in 2014. Describe in **Appendix B** the procedures used and schedules for street sweeping. If no street sweeping is performed, explain:

4. Describe in **Appendix B** the municipality's procedures for roadway snow removal and de-icing. Provide information on what practice and procedures the municipality has implemented in consideration of water quality impacts from snow removal and de-icing. Include an estimate of the annual amount of salt and/or sand used for roadway de-icing.

5. Does the municipality haul snow to off-site disposal locations? ☐ Yes ☒ No

If yes, provide in **Appendix B** the location of all off-site snow disposal locations and describe what practices and procedures are used to protect water quality from snow and ice melt from the disposal site.

6. Does the municipality own or operate salt storage facilities? ☒ Yes ☐ No

If yes, provide in **Appendix B** the locations of all salt storage facilities. Are all salt storage facilities managed in accordance with Chapter TRANS 277, Wis. Adm. Code? ☒ Yes ☐ No

7. Does the municipality provide curbside pickup service for leaves, yard waste, and grass clippings? ☒ Yes ☐ No
If yes, approximate amount of material collected (tons or cubic yards): ~120 tons in 2013, ~100 tons in 2014
8. Describe in **Appendix B** the municipality's procedures for the collection of leaves, yard waste, and grass clippings, and/or instruction to citizens for on-site management of these items. Provide the location of sites used by the municipality or citizens for the disposal of leaves, yard waste, and grass clippings.
9. Describe in **Appendix B** the municipality's policies and procedures for the use and application of lawn and garden fertilizers on municipally controlled properties. Include information on how these policies and procedures address pollution prevention efforts.
10. Describe in **Appendix B** any local program the municipality employs to regulate the private use of lawn and garden fertilizers.
11. Include in **Appendix B** an assessment of the effectiveness of the municipality's pollution prevention efforts through the municipal pollution prevention program.

g. Developed Urban Area Standard

1. Has the municipality completed a pollutant-loading analysis to assess compliance with the TSS reduction developed urban area performance standard? ☒ Yes ☐ No
Model used: SLAMM Version: 9.3 Reduction %: ~42% as of Sep 2012

In **Appendix B**, please list or reference all practices that are currently in place that will be used to meet the TSS reduction percentage reported above. Additionally, please describe any maintenance activities that have occurred for these practices in 2013-2014.

2. Has the municipality completed an evaluation of all municipal owned or operated structural flood control facilities to determine the feasibility of retrofitting to increase TSS removal? ☒ Yes ☐ No If yes, describe in **Appendix B**.

V. STORM SEWER SYSTEM MAP

City of Madison only:

- a. Has any municipality failed to submit its hard copy changes for the storm sewer system map by January 31, 2013?
☐ Yes ☐ No If yes, list municipalities:

- b. Attach in **Appendix C** a copy of the updated storm sewer system map.

All municipalities:

- c. Has the municipality updated and maintained documentation of all storm sewer outfalls from its MS4 to waters of the state?
☒ Yes ☐ No

VI. Water Quality Concerns

- a. Does any part of the MS4 discharge to an outstanding resource water (ORW) or exceptional resource water (ERW) listed under s. NR 102.10 or 102.11, Wis. Adm. Code? (A list of ORWs and ERWs may be found on the Department's Internet site at: <http://dnr.wi.gov/org/water/wm/wqs/orwers/>) ☐ Yes ☒ No If yes, list:

b. Does any part of the MS4 discharge to an impaired waterbody listed in accordance with section 303(d)(1) of the federal Clean Water Act, 22 USC § 1313(d)(1)(C)? (A list of the most current Wisconsin impaired waterbodies may be found on the Department's Internet site at: <http://dnr.wi.gov/org/water/wm/wqs/303d/303d.html>). ☒ Yes ☐ No

If yes, identify the following information in **Appendix D**:

- Impaired Waterbody to which the MS4 discharges.
 - Description of actions municipality has taken to comply with section A(13) of the MS4 permit for discharges of pollutant(s) of concern to an impaired waterbody.
- c. In **Appendix D**, identify any known water quality improvements in the receiving water to which the MS4 discharges during the reporting period.
- d. In **Appendix D**, identify any known water quality degradation in the receiving water to which the MS4 discharges during the reporting period and what actions are being taken to improve the water quality in the receiving water:

VII. ADDITIONAL INFORMATION

- a. Provide in **Appendix E** a description of any revisions or proposed revisions to any element of the municipality's storm water management program.
- b. Provide in **Appendix E** an updated listing and contact information for any new industrial facilities that may be regulated under Subchapter II of NR 216, Wis. Adm. Code, and that have commenced operation during the reporting period.
- c. Provide in **Appendix E** a summary of any other activities undertaken to comply with the conditions of this permit or other information you feel the Department of Natural Resources should be aware of.

d. Complete the fiscal analysis table provided below.

Program Element	2013 Annual Expenditure	2014 Annual Expenditure	2015 Budget	2016 Budget	Source of Funds
Public Education and Outreach	\$25,000	\$6,000	\$6,000	\$6,000	Stormwater Utility, DNR Planning Grants
Public Involvement and Participation	\$10,000	\$1,500	\$1,500	\$1,500	Stormwater Utility, DNR Planning Grants
Illicit Discharge Detection and Elimination	\$3,000	\$3,000	\$3,000	\$3,000	Stormwater Utility
Construction Site Pollution Control	\$9,000	\$9,000	\$9,000	\$9,000	Stormwater Utility
Post-Construction Site Storm Water Management	\$4,000	\$6,000	\$7,000	\$8,000	Stormwater Utility
Municipal Pollution Prevention	\$110,000	\$185,000	\$260,000	\$375,000	Stormwater Utility, DNR, Dane County, & Yahara WINs Planning & Const. Grants

e. What is the overall estimated annual cost to the municipality for compliance with the permit in 2013? \$161,000 2014? \$210,500

f. Has the municipality implemented a storm water utility? ☒ Yes ☐ No, but considering ☐ No, and not considering
If yes, provide a description of the storm water utility in **Appendix E** and any additional information that will assist the Department of Natural Resources in understanding how the utility works in your municipality.

APPENDIX A

General Information

III.a. Fitchburg's most recent revision to its Erosion Control and Stormwater Management Ordinance (ECSWM - Chapter 30, Article II) was adopted by the Common Council at their March 25, 2014 meeting and went into effect on April 9, 2014. Draft copies of this ordinance were sent to Eric Rortvedt (WisDNR) and Jeremy Balousek (Dane County Land & Water Resources Department) for review prior to adoption. WisDNR and Dane County agreed that this ordinance met the requirements of NR 151, NR 216, and Dane County Chapter 14. Fitchburg's ECSWM ordinance can be viewed on Fitchburg's web site at: <http://www.fitchburgwi.gov/DocumentCenter/View/7796>.

III.d. The "Information on Applicability and Filing" flyer for the Erosion Control and Stormwater Management Permit Process available at: <http://www.city.fitchburg.wi.us/231/ECSWM-Requirements> describes Fitchburg's erosion control and stormwater permit requirements and the process followed for obtaining the applicable permits. The Public Works Department coordinates permit reviews and construction inspections for these permits. Erosion control inspections for single family residential dwellings are handled by the Building Inspection Department via Uniform Dwelling Code (UDC) guidelines.

III.e. Key Fitchburg staff members (City Engineer, Environmental Engineer, and GIS Engineering Specialist) are all included in the e-mail correspondence related to the Madison Area Municipal Stormwater Partnership (MAMSWaP) quarterly meetings. Fitchburg's Environmental Engineer is the primary Fitchburg contact attending the quarterly meetings; however the GIS Engineering Specialist also attends occasionally depending on the meeting agenda topics. Copies of the past Annual Reports (2006 to 2008) and Biennial Reports (2009-10, 2011-2012) have been submitted to Fitchburg's Resource Conservation Commission (RCC), Board of Public Works (BPW), and Common Council. A draft of the 2013-2014 Biennial Report was included in the packet for RCC's February 16, 2015 meeting. This report will also be sent to BPW and Common Council in February or March 2015. Copies of the 2006, 2007, and 2008, 2009-10, 2011-12, and 2013-2014 Biennial Reports are posted on the City of Fitchburg's web site at: <http://www.city.fitchburg.wi.us/233/Stormwater-Discharge-Permit>

III.g. Developers are notified of construction stormwater performance standards by Public Works in preliminary meetings and plan reviews. The Planning Department works closely with Public Works to incorporate storm water management plans in planning studies, plat development, and land use planning.

APPENDIX B
Storm Water Management Program

IV.a.1 (Dane County only)

IV.a.2 (Dane County only)

IV.a.3 & 4. The following articles created in house were incorporated into Fitchburg's monthly newspaper, *The Fitchburg Star*:

- "Planning for 2013 Earth Day, Arbor Day, & Migratory Bird Day" – Jan 2013
- "Plant Dane! Cost-Share Program" – Mar 2013
- "Spring 2013 Waterway Cleanup" – Mar 2013
- "2013 Stormwater and Sidewalk Projects" – Mar 2013
- "Brush Collection Begins" – Mar 2013
- "Home Compost Bin and Rain Barrel Sale" – Mar 2013
- "Natural Lawn Care in Fitchburg" – Mar 2013
- "Springtime Brings More Than Flowers With Those Showers" – Mar 2013
- "Garlic Mustard and Other Invasive Plant Disposal" – Mar 2013
- "Outdoor Lawn Water Conservation" – May 2013
- "Spring 2013 Waterway Cleanup Thank you" – May 2013
- "Nine Springs Creek Watershed Master Plan Update" – Jul 2013
- "Water, Water Everywhere" – Jul 2013
- "Fall Leaf and Lawn Cleanup" – Sep 2013
- "Nine Springs Creek Watershed Master Plan Update" – Sep 2013
- "Nine Springs Creek Watershed Master Plan Public Involvement Workshop" – Nov 2013
- "Construction Site Erosion Control Reporting Process Update – PermiTrack" – Nov 2013
- "Save Money - Use Less Salt This Winter" – Nov 2013
- "Planning for 2014 Earth Day, Arbor Day, and Migratory Bird Day Events" – Jan 2014
- "Nine Springs Creek Watershed Master Plan Nearly Completed" - Jan 2014
- "Web-based Erosion Control Inspection Process: PermiTrackESC" – Jan 2014
- "Spring 2014 Waterway Cleanup" – Mar 2014
- "Brush Collection Begins" – Mar 2014
- "Fitchburg Kicks Off Water Conservation Campaign" – Mar 2014
- "Spring 2014 Waterway Cleanup Events" – May 2014
- "Springtime Storm Showers Bring More Than Just Flowers" – May 2014
- "Give Your Lawn a Checkup Before You Fertilize" – May 2014
- "Algae in Stormwater Ponds" – Jun 2014
- "Thank You Fitchburg Waterway Cleanup Volunteers!" – Jun 2014
- "Fall Leaf and Lawn Clean Up" – Sep 2014
- "WI Recycling Leader Looks to Water" – Nov 2014
- "Save Money - Use Less Salt This Winter" – Nov 2014

These articles are attached at end of Appendix B.

A total of 32 Fitchburg newsletter articles related to water quality were published in the 2013 and 2014 *Fitchburg Star* newspapers. The *Fitchburg Star* newspapers are distributed to all

Fitchburg residents and are also placed on Fitchburg's web site. The Fitchburg web site averages ~300,000 hits per month. The Fitchburg Star newspaper is mailed to all homes, apartments and businesses in Fitchburg, which includes ~11,000 addresses.

IV.b.4. The Fitchburg Resource Conservation Commission (RCC) meets monthly and the meeting agenda includes public appearances which are open to discussion on stormwater or water quality issues. There are occasional public appearances on water quality issues.

Spring waterway clean ups were held on April 20, 2013 and April 19 and 27, 2014. In 2013, over 70 volunteers, including four different clubs, helped Fitchburg staff clean Apache Pond, Dunn's Marsh North Complex, Wildwood Kettle, Syene Road, and waterways along the north portion of the Swan Creek of Nine Springs Neighborhood. Volunteers removed over 25 large garbage bags of trash, 8 bags of recyclables, and approximately 10,000 cubic feet of brush from these areas. In 2014, community members, City of Fitchburg staff, RCC members, elected officials, Brownie Troop 2747, and Girl Scout Daisy Troop 2157 helped collect trash and recyclables at Dunn's Marsh and Yarmouth Greenway. In total, volunteers removed 27 large garbage bags of refuse and 13 bags of recycling from these areas, helping clean up our waterways and improve ecosystem health. Some of the more interesting items collected from these areas include an unopened bottle of champagne, a fire extinguisher, a dog kennel, a bike, carpet and scrap metal.

On May 5, 2013, the City of Fitchburg held a home compost bin and rain barrel sale. Education about the benefits of composting and using rain barrels were included.

On April 3, 2014 the City of Fitchburg launched their water conservation campaign at Fitchburg Public Library. The Mayor and City of Fitchburg Staff made water conservation a top priority for 2014. The event covered existing groundwater supplies in Dane County, how to fix your toilet, outdoor water wise landscaping, and featured speakers from the Wisconsin Geologic and Natural History Survey, Benjamin Plumbing, and the City of Fitchburg Department of Public Works.

IV.c.1. Stormwater outfalls, release structures, and culverts were inspected for illicit discharges during dry weather periods, May to August. The inspections involved commercial, industrial, and environmentally sensitive areas. Throughout the year the outfall and basin inspections involved a thorough look for evidence of illicit discharge. A computer database holds inspection forms for all outfalls and pond release structures inspected by the City. The form evaluates any discharge observations, outlet conditions, outlet area, and a picture of the structure. A reported illicit discharge will be processed as a work order and attended to by the Public Works Department in a timely manner. Overall, the illicit discharge detection and elimination program has had consistent results in the detection, elimination, prevention, and enforcement of illicit discharges and improper dumping in 2013-2014.

IV.c.2. In 2013, a total of 367 stormwater outfalls and 45 pond release structures were inspected for flow and maintenance problems. In 2014, 370 stormwater outfalls and 45 pond release structures were inspected. Inspectors looked for flow from outfalls and release structures and compared flow to recent precipitation events. Flow was observed in 3 outfalls and 4 release structures, but was attributable to recent precipitation events. Oil sheen was

minimal in all cases and likely the result of street runoff. The largest source of required maintenance was due to excessive vegetation and associated debris buildup.

IV.c.3. In the event of general public calls or e-mails reporting improper disposal of waste or dumping, City staff makes follow-up inspections and/or makes contact with the property owner to verify the issue and identify the appropriate action to be taken. No instances of potential illicit discharge concerns were reported or known to occur in 2013. In 2014, the city investigated and assisted in addressing 4 instances related to potential illicit discharge concerns:

- *Waste Oil, Storm Drains, and Trash in the Roads* - On March 14, 2014 a Fitchburg resident contacted Rick Eilertson via email about multiple complaints of illicit discharges. The resident mentioned concern of potential oil dumping near Crescent Road from a group of people changing their car oil on the road. The resident inquired who to contact if this were to happen again in the future and if oil dumping was a citable offense. Rick Eilertson provided the resident with multiple courses of action and contacts including other Fitchburg staff as well as the DNR Spills Hotline phone number and website. The resident also mentioned trash build up in the streets and storm drains near Red Arrow Trail. The resident cleaned up the debris. Rick Eilertson followed up with a thank you and additional information about providing plastic bags and refuse tags to individuals who clean up public properties.
- *Tabby Jack's Mobile Grooming Van Possible Tank Dumping near Hatchery Hill Shopping Center* - On April 3, 2014, a Fitchburg resident contacted City of Fitchburg's Rick Eilertson in regards to bubbles forming in a downstream puddle originating near a parked pet grooming van. Rick Eilertson contacted the business about the potential illicit discharge. Tabby Jack's Mobile Grooming responded by stating they don't groom dogs in the Fitchburg parking lot. They also provided photo evidence of the ingredients labeled on the type of shampoo they use in the van. The company said they also saw the suds forming in puddles. It was determined that the suds did not come from the van, but may have come from a certain product the snow plow company used to remove snow and ice.
- *Waste Oil Containers near Jenewein Street* – On May 27, 2014, a Fitchburg resident spotted two large containers of waste oil on a curb near the 4500 block of Jenewein Street. The resident placed the containers above the curb to prevent cars from hitting them. Rick Eilertson followed up by taking the oil containers to the City of Fitchburg's recycling drop off site. He also knocked on doors in the area to inform them of Fitchburg's recycling drop of site.
- *Oil Leaking from Dumpster at 5636 Longford Terrace* – On August 28, 2014, a Fitchburg resident contacted a City of Fitchburg staff member about oil spilling from a dumpster onto a nearby sidewalk and driveway. Felipe Avila drove out to the site and took photos of the incident. It was confirmed that the rust residue and oily sheen met the illicit discharge criteria. Rick Eilertson contacted Pellitteri Waste Systems, the owner of the dumpsters, and asked that they initiate removal of the dumpster(s) and clean-up activities with the person/organization that contracted for the dumpsters.

IV.c.4. The city website, newsletter, and cable access channels all have contact information for residents to report spills or illicit discharges.

IV.d.2. For all developments, the City requires an erosion control plan submittal, review, and approval before a Building Permit or Erosion Control & Stormwater Management (ECSWM) Permit is issued. The review process includes a check for compliance with NR 151 standards.

IV.d.3. The City inspects construction sites weekly to monthly depending on scope and disturbance schedule of each project. Developments not in compliance with erosion control measures are contacted by the City with a Notice of Non-compliance of the Erosion Control Permit via e-mail or direct phone call to the contractor on site. The contractor is notified that, if the non-compliance is not corrected within three days, a stop work notice will be issued.

IV.d.5. In 2013 and 2014, the City issued approximately 15 notices of non-compliance for insufficient erosion control practices and/or incomplete weekly construction inspection forms. No Stop work orders were issued during 2013 and 2014.

IV.e.1. For all construction projects adding over 20,000 sf of new impervious area, the City requires a stormwater management plan submittal, review, and approval before construction may commence. The review process includes a check for compliance with NR 151 standards.

IV.e.2. Stormwater maintenance agreements are prepared and reviewed prior to construction. The agreements are recorded with the Dane County Register of Deeds and copies are maintained by the Public Works Department. In the event that maintenance or repair complaints are raised or if staff notices that stormwater facilities aren't being maintained properly, the PW Department has the authority to order the property owner to maintain or repair the facility(ies).

IV.e.4. If developments do meet post-construction stormwater management standards per the approved plans, a work list with due date is issued to the developer.

IV.f.1. In 2013, 367 stormwater outfalls and 45 pond release structures were inspected primarily during dry weather periods, May to August. In 2014, 370 stormwater outfalls and 45 pond release structures were inspected. The inspections involved commercial, industrial, and environmentally sensitive areas. Throughout the year the outfall and basin inspections involved a thorough look for evidence of illicit discharge. A computer database holds inspection forms for all outfalls and pond release structures inspected by the City. The form evaluates any discharge observations, outlet conditions, outlet area, and a picture of the structure. The Streets Division generally maintains all basins by mowing at least once a year. If erosion control or maintenance problems are found at the basins during mowing operations, the Streets Division will schedule and perform the repair work for the Stormwater Utility. Approximately 30 cubic yards of solids were collected per year from greenways and pond infalls and release structures cleaned out in 2013 and 2014.

IV.f.2. The City standard stormwater collection structures are inlets and are not built with a sump. If plugging or debris problems are found during sweeping operations, the Streets Division will collect the material with the sweeper vacuum or schedule and perform the maintenance work. The Streets Division also responds to resident calls on inlet maintenance problems. ~10 cubic yards (cy) of solids were collected in 2013 and ~8 cy of solids were collected in 2014 from approximately 15 storm sewer structures.

2013 - 2014 Biennial Report
Group Municipal Storm Water Discharge Permit
WPDES Permit No. WI S058416-3
Appendix B – Stormwater Management Program

IV.f.3. The City sweeps ~165 inventory lane miles of streets, including county highways, with a Regenerative Air Street Sweeper (Schwarze A7000). ~500 cubic yards (cy) of solids were collected in 2013 and ~450 cy of solids were collected in 2014. The Streets Division operates the sweeper from approximately March through December. All urban streets (~80 miles of 2-lane streets and ~10 miles of 4-lane roadways) are swept a minimum of 2 times each in the Spring, and as needed through the Summer and Fall. The sweeper is also sent to urban and rural streets with debris problems as noticed by staff or called in by residents.

IV.f.4. The snow removal plan consists of pretreatment with a brine solution, and plowing with minimal use of salt. Sand for traction is only used on hills and intersections on an as needed basis when temperatures are too low for salt to be effective. Approximately 1,570 tons of salt and 12 tons of sand were used in 2013. Approximately 880 tons of salt and 7 tons of sand were used in 2014.

IV.f.6. The City salt storage facility is located at 2373 S. Fish Hatchery Road.

IV.f.8. In 2013 and 2014, the City of Fitchburg collected leaves, yard waste, brush and grass clippings curbside under contract with Pellitteri Waste Systems. Four yard waste collection weeks, two each in the Spring and Fall of 2013 and 2014. 14 brush collection weeks from April through November were provided in 2013. 14 brush collection weeks from April through November were provided in 2014. Residents may also dispose of yard waste at the Fitchburg Recycling Drop Off Site at 2373 S. Fish Hatchery Road. Residents are instructed on disposal, composting, or grass cycling methods annually by the City newsletters and the City website. Fitchburg collected 636 tons of yard waste and brush curbside and 696 tons of yard waste from the Recycling Drop-Off Site for a total of 1,332 tons of yard waste collected in 2013. In 2014, 499 tons of yard waste and brush curbside and 716 tons of yard waste from the Recycling Drop Off Site were collected, for a total of 1,215 tons of yard waste.

IV.f.9. Fitchburg staff crews only use fertilizer on newly restored areas. The crews minimize the use of fertilizer at medians, athletic fields, and municipal building grounds. Fertilizer is not used on general park land. The crews do not use pesticides. Occasionally, the crews use herbicide to treat buckthorn, honeysuckle, black locust, and/or box elder stumps following removal of these species in order to reduce the likelihood of regeneration of these invasive woody species. The crews minimize the use of herbicides at medians, athletic fields, and municipal building grounds. Herbicide is not used on general park land, but may occasionally be used to treat invasive plants and/or undesirable aggressive weeds.

IV.f.10. The City does not have local ordinances to regulate the private use of fertilizer, pesticides, and herbicides. Fitchburg's website and Fitchburg Update newsletter articles and both contain information for the responsible use of these items if necessary. The Public Works Department promotes the use of a soil test before applying fertilizer during the Erosion Control & Stormwater Management Permit review process. The City also provides a credit on stormwater utility fees for property owners who voluntarily limit or eliminate the use of lawn and garden fertilizers through the Fitchburg Creek Supporter Pledge Program.

IV.f.11. Fitchburg's website and Fitchburg Update newsletters appear to be doing a good job of keeping residents, businesses, and contractors informed of Fitchburg's pollution prevention

program. Participation in education and outreach activities is very good. Residents with questions are generally complimentary on staff's response to their questions and concerns.






IV.g.1. Please list or reference all practices that are currently in place that will be used to meet the TSS reduction percentage reported above. Additionally, please describe any maintenance activities that have occurred for these practices in 2013-14. Fitchburg public stormwater facilities include: Apache Pond, Arrowhead Park and Wet Ponds, Ashbourne Wet Pond and Greenway, Bosshard Pond, Business Park Ponds A (Market/Badger) & B (Market/Executive), Byrne Pond, Commerce Park Pond, Dunn's Marsh North Complex, Fitchburg Technology Campus Pond, Gunflint Pond, Harlan Hills East and West Ponds, Lacy Heights Pond, Longford Pond, McKee Farms South, North, and Northwest Ponds, Nesbitt-Bavaria Pond, Nesbitt Heights Pond and Infiltration Cells, Nesbitt – Limestone Pond, Northern Lights Pond, Oak Meadow Pond, Pine Ridge Pond, Quarry Hill Pond, Quarry Ridge Pond, Renaissance Pond, Seminole Hills Pond, Seminole Village Pond, Swan Creek Pond. Other Non-Fitchburg owned properties include: Aleo Court Dry Pond, Braeger Court Dry Pond, Casa Del Sol Wet Pond, Chapel Valley East Pond, Chapel Valley West Pond, Dunn's Marsh – South (City of Madison and Dane County), Nesbitt – Jung's Pond, Oak Bank Wet Pond, Savannah Oaks Rain Garden, Swan Pond, Syene D Wet Pond (Downtown Fitchburg II LLC), The Crossing Wet Ponds, Waterford Glen Temporary Dry Pond.

IV.g.2. The Stormwater Detention Basin Inventory and Analysis, dated December 1997, provided recommendations on various retrofits to existing facilities. Recommendations from this report (Longford Pond enlargement, Seminole Hills Pond conversion to wet pond, Bosshard Pond conversion to wet pond, WIBA dry pond conversion to wet pond (now referred to as Oak Meadow Pond), and McKee Farms West Pond enlargement) have all been completed. The only remaining dry ponds are: Aleo Court dry pond on private property, Lacy Heights dry pond, and Byrne Park dry pond. The city will continue evaluating these and other public properties for conversion or enlargement as it finalizes the Nine Springs Creek Watershed Master Plan in 2015.

Stormwater Articles appearing in the 2013 *Fitchburg Update*

Planning for 2013 Earth Day, Arbor Day, and Migratory Bird Day Events

April 22, 2013, marks the 43rd Anniversary of Earth Day and April 26, 2013, is the 141st year of celebrating Arbor Day. To commemorate these anniversaries, staff is beginning planning for the following events expected to be held between mid-April and early May 2013:

-  Annual Waterway Cleanups of Fitchburg's stormwater facilities and creeks
-  Biking, Walking, and/or Paddling Tours through the Nine Springs Creek Watershed
-  Electronics Recycling Event for computers, monitors, etc.
-  Shred Day Event for shredding and recycling confidential paper documents
-  Compost Bin & Rain Barrel Sale
- Spring Community Cleanup Day of Fitchburg Parks and City Hall
- Arbor Day / Earth Day / Migratory Bird Day Celebration - Tree Planting in Fitchburg Parks (Saturday, May 4, 2013), McKee Farms Park Tree Walk & Migratory Bird Day Celebration

If you have ideas on any of these activities that you or your neighborhood association can get involved in, please contact Rick Eilertson, Fitchburg Environmental Engineer, at 270-4264, rick.eilertson@city.fitchburg.wi.us or Ed Bartell, Fitchburg Urban Forester/Naturalist, 270-4289, ed.bartell@city.fitchburg.wi.us.

Further information on the 2013 Earth Day, Arbor Day, and Migratory Bird Day Events will be included in the March 2013 Fitchburg Update. Final details will be posted at www.city.fitchburg.wi.us closer to the event.

2013 Plant Dane! Cost-Share Program Helps Homeowners Purchase Native Plants for their Rain Gardens and Yards

Now in its 9th year, the Plant Dane! cost-share program provides homeowners, schools and nonprofit organizations with native plants at reduced prices to establish rain gardens, native plantings and prairie restoration through a gift from the Graham-Martin Foundation. The Plant Dane! Program has provided tens of thousands of plants, resulting in hundreds of acres being planted with native species throughout Dane County.

Many find replacing turf and ornamental plants with plant species native to Wisconsin a rewarding landscape alternative. Once established, natives do not require the maintenance and watering inputs that turf and ornamentals need. Native wildflowers bloom season round and provide great habitat value for beneficial insects and birds.

Plants are \$1.80 each. Each species must be ordered in multiples of four. Program details and order forms are available online at www.myfairlakes.com/plantdane.aspx. Participants complete the order form online, then print out the completed form and mail it with a check. All payments with orders must be received no later than March 15, 2013. Plants will be delivered on May 18, 2013.

Fitchburg residents who install and maintain rain gardens are eligible for a reduction in their stormwater utility bill of \$4 to \$12 per year. For more details, visit www.city.fitchburg.wi.us/stormwater.

Spring 2013 Waterway Cleanup

Fitchburg's Spring Waterway Cleanups for 2013 are tentatively planned for Saturday, April 20th from 9am until noon, rain or shine.*

This year's plan calls for cleanups on the north side of Dunn's Marsh along Crescent Road. In addition, there may be a cleanup group in your area, coordinated by your neighborhood association. Anyone interested in being a group leader may contact Rick Eilertson, Fitchburg Environmental Engineer, at (608) 270-4264 or rick.eilertson@city.fitchburg.wi.us to coordinate a cleanup in your neighborhood.

Fitchburg will provide refreshments and a tote bag or T-shirt to participants. Volunteers are encouraged to wear boots and bring work gloves. Please be forewarned: Restroom facilities are often not convenient to the planned cleanup locations.

*Further details on the Waterway Cleanups will be posted at www.city.fitchburg.wi.us/stormwater closer to the events.

For more information and/or to RSVP for the waterway cleanup events, please contact:
Rick Eilertson, Fitchburg Environmental Engineer
Rick.eilertson@city.fitchburg.wi.us
608-270-4264

2013 Stormwater and Sidewalk Projects

Tower Hill Greenway – This project includes regrading the greenway within the Tower Hill neighborhood from S. Fish Hatchery Road to McKee Farms Park South Pond. A low flow storm pipe is being installed parallel to the greenway to keep the bottom of the greenway channel drier and less susceptible to erosion. A short segment of storm sewer is also being designed from the greenway to the intersection of Lyman Lane and Jacqueline Drive to improve drainage and reduce ice build-up in the intersection during winter conditions.

Red Arrow Pond & Crescent Road Sidewalk – This project includes the rerouting of existing storm sewer from the intersection of Red Arrow Trail and Crescent Road, easterly ~150' to the east side of the Megan's Bay Condominiums and installation of a small stormwater pond. This project will help alleviate current flooding concerns as well as control water quantity and improve water quality prior to discharging stormwater into Dunn's Marsh. Honeysuckle, buckthorn, and box elder were removed from the project area in 2012. DNR has awarded up to \$60,000 in grant funding for this project. Sidewalk is also planned to connect from the sidewalk at Apache Pond westerly to the Megan's Bay Condominiums.

McKee Road Stormwater & Sidewalk – This project includes storm pipe installation and sidewalk construction on the north side of McKee Road from Chapel Valley Road easterly to Yarmouth Greenway Drive.

2013 - 2014 Biennial Report
Group Municipal Storm Water Discharge Permit
WPDES Permit No. WI S058416-3
Appendix B – Stormwater Management Program

Anyone with questions or comments on any of these projects may contact Felipe Avila at felipe.avila@city.fitchburg.wi.us or 270-4277.

Brush Collection Begins April 1st

Residents of single family homes and apartments with up to four-units who receive City refuse & recycling collection from Pellitteri Waste Systems and apartment complexes who pay for City brush collection service will receive fourteen curbside brush collections between April and November.

Brush should be placed on your driveway or terrace but should not be placed in the street. You should not place brush at the curb until the weekend before the Monday of the collection week. Leaving brush at the curb for extended periods, or placing brush at the curb long before the collection can result in a \$177 fine.

Please have brush at the curb by 6:30 a.m. Monday on the week of collection, regardless of which day your refuse and recyclables are collected.

Pellitteri collects brush with a packer type truck. Twigs less than 1/4-inch diameter are considered yard waste and should be disposed of accordingly.

Brush Collection Requirements

- The maximum length for brush is 5 feet long. Longer branches will not be collected!
- The maximum branch size is 6 inches in diameter. Larger branches are considered firewood and will not be collected.
- Lay brush perpendicular to the street with the cut end toward the street. Pile brush neatly.
- Do not bring brush to the Recycling Drop Off Site. Violators will receive citations. Fitchburg residents may drop off brush at Purple Cow Organics (2159 Range Trail, Verona) at a reduced rate of \$22/ton. Call (608) 848-4400 for hours and brush preparation requirements.

Please contact Public Works at publicworks@city.fitchburg.wi.us or 270-4260 if you have any questions.

2013 Brush Collection Schedule	
Week of:	
April 1	August 5
April 15	August 26
April 29	September 16
May 13	September 30
June 10	October 14
June 24	October 28
July 15	November 11
*Actual collection date may depend on weather	

Home Compost Bin and Rain Barrel Sale - May 4, 2013

Home composting is a simple process for reducing waste going into your refuse cart that requires only a little time and effort on your part. Contrary to popular belief, properly maintained compost bins do not smell bad. Rather, they have a pleasant, earthy odor similar to freshly plowed soil.

Most households that compost are able to significantly reduce the amount of waste they set out at the curb. For instance, in a survey of Fitchburg residents who use home compost bins, over 75% of survey respondents composted at least 3/4 of their kitchen wastes. Please click on the Home Composting link at the Organics website (www.city.fitchburg.wi.us/Organics) for more information and ideas on composting your food scraps in your own yard.

Fitchburg will be hosting a Compost Bin & Rain Barrel Sale on Sat., May 4th from 9am-11am at the Fitchburg Recycling Drop Off Site (2373 S. Fish Hatchery Road). Earth Machine home compost bins (\$45 - normally \$100), System rain barrels (\$55 - normally \$110), Norseman compost turners (\$15), Norseman Kitchen scrap pails (\$7), and Dayton 50-gallon Yardwaste Polybags (\$2 - normally \$6) will be available for sale. The supplies will be sold on a first come, first served basis. Advance registration is recommended by contacting rick.eilertson@city.fitchburg.wi.us or 270-4264 prior to April 10th. Up to 2 FREE Yardwaste Polybags will be available for residents participating in Fitchburg's curbside refuse and recycling program. Visit www.city.fitchburg.wi.us for more information as the event approaches.

Staff will be on hand to describe proposed changes at Fitchburg's Recycling Drop Off Site and solicit feedback on any suggested improvements from attendees.

If you miss the April 10th advance registration deadline, you can stop by to see if there are still any remaining supplies or head to the Dane County Compost Bin & Rain Barrel Sale at the Alliant Energy Center's Olin Avenue parking lot from 9am-1pm. Visit: <http://www.cityofmadison.com/streets/compost/CompostBinSale.cfm> for further details. For information on other home composting bin options that you can build yourself, visit www.city.fitchburg.wi.us/solidwaste. For information on signing up for Fitchburg's Rain Barrel Rebate (\$5 / 55 gallon volume), visit www.city.fitchburg.wi.us/stormwater.

Natural Lawn Care in Fitchburg

By Ald. Steve Arnold, Resource Conservation Commission member

It's the time of year for lawn and garden planning in Wisconsin. The economy hasn't fully recovered, and news of climate change and the cost of oil fill the media. Perhaps this will be the year you try something more "sustainable".

There are many ways to think about sustainability, but my goals for the garden are to minimize all but natural inputs, sunlight and rainwater, and minimize outputs, including waste and storm water runoff. Another reason to avoid synthetic inputs, especially pesticides, is to reduce exposure to children, pets, and beneficial wildlife. To learn more about the dangers of lawn chemicals and safe alternatives, please attend "*Healthy Lawns - Reducing Pesticide and*

Fertilizer Use," the Resource Conservation Commission's annual event, on April 4, 2013 from 6:30 - 7:30 pm at the Fitchburg Library.

One strategy for implementing sustainability in your yard is to grow native plants, such as prairie species, instead of a conventional lawn. (You need to apply for a City permit to do this, and the terrace and property boundaries must still be mowed. Objections from a majority of neighbors within 200 feet may cause the application to be rejected. So consider visiting with neighbors to discuss your plans first.)

Instructions for establishing natives often take a literally "scorched earth" approach, with repeated burning, rototilling, or glyphosate (*Roundup*) applications to kill the existing vegetation. You'll need to control erosion during the period the ground is unprotected by vegetation. Your management plan should also deal with vegetation build-up, by annual mowing or less frequent prescribed burning.

A second strategy for implementing sustainability in your yard is organic care of a conventional lawn. This means no chemical fertilizers or pesticides and minimizing energy input and irrigation. I still mow with gasoline, rather than a hand or electric mower, but I mow as infrequently as possible. I forgo irrigation, letting the lawn go dormant each summer.

For several years, I didn't use any fertilizer or pesticides, keeping complaints down from my neighbors by hand-digging dandelions. For the last two years, I've also applied corn gluten in the spring. Corn gluten is a by-product of corn milling, and is both a slow-release nitrogen fertilizer and a natural weed inhibitor. It's available from local vendors of animal feed, and cost less than \$60/year for my relatively large lawn. The lawn has been noticeably greener and there are fewer dandelions to dig.

If you undertake natural lawn care, you'll learn to love clover. Clover, a legume, can fix nitrogen from the air, reducing the need for fertilizer, but getting used to clover in a lawn requires a change in mindset. The most popular synthetic broadleaf herbicide, 2,4-D, has virtually wiped out clover in America's urban areas as the lawn care industry has spent millions in advertising to demonize clover. To get past this learned bias against clover, remember that the hallmark of a healthy ecosystem is diversity. How many different plant species can you see in your lawn?

So far, I've covered minimizing inputs here. To reduce outputs, use grading to keep rainwater where it falls. Rain gardens increase your yard's capacity for soaking up downpours and infiltrating the water on site, increase hummingbird and butterfly habitat, and reduce the amount of grass to mow. Mulch-mowers make every mowing a treatment of slow-release, organic fertilizer, or clippings can be used to stop weeds around flowers or vegetables, or go into the compost bin. For more on minimizing outputs, watch a video on Fall Leaf and Lawn Cleanup from FACT: <http://goo.gl/RMyzJ>.

Have a pleasant and sustainable growing season!

Springtime Brings More than Flowers with those Showers

Whether March comes in like a lion or a lamb, it also brings spring showers and melting snow. When snow melts and rain falls, it flows across streets, driveways, parking lots and rooftops and

transports sand, salt, leaves, oil, trash and many other pollutants directly to storm drains, which eventually ends up in our lakes and streams.

Some folks mistakenly think that water running off streets goes into a sewage treatment plant. But the truth is that it goes right to our lakes and streams.

You Can Help

There are many things each of us can do to prevent storm water pollution.

- 💧 Use salt sparingly during the winter.
- 💧 Sweep up any excess sand left over from the snow shoveling season.
- 💧 Clean up pet waste year round—flush it down the toilet or collect it in a bucket until you can bury it properly.
- 💧 Keep cars well maintained and repair fluid leaks; but consider walking, public transportation or riding a bike whenever you can.
- 💧 Direct rainwater away from paved areas to lawns or gardens where it can soak in.
- 💧 Keep leaves and grass clippings out of the street. Compost yard waste, debris and leaves.
- 💧 Get a soil test before applying fertilizer to your lawn. Don't pay for something you don't need. If a test shows that your lawn does need fertilizer, apply it according to directions and carefully clean up any spills on paved surfaces.
- 💧 Wash your car on the lawn or at a car wash that sends its used water to the sewage treatment plant.
- 💧 Prevent soil erosion.
- 💧 Don't let anything but rain go down the storm drain or into the ditch.

Go to www.myfairlakes.com for more ideas on how you can help our lakes and streams.

Garlic Mustard and other Invasive Plant Disposal

Many residents and businesses have been identifying and removing garlic mustard and other invasive plants (e.g. Japanese Knotweed, Hedge Parsley, Dames Rocket, Wild Parsnip, etc.) from their property. This is great! But just as important in the eradication of these highly invasive plants is that everyone follow-through on sending these plants to the landfill so the seeds can't mature and start new plants. If you have small amounts, you can just bag them and place in your green refuse cart. For large amounts, you can bag them and place them in the dumpster marked "Yardwaste Bags and Oil Containers Only" at Fitchburg's Recycling Drop Off Site (2373 S. Fish Hatchery Rd.).

Outdoor Water Conservation

Dane County has the highest average water usage per person in the State. Each day in Dane County 69 million gallons of water are drawn from the ground. One of the largest contributions to Dane County's above average water usage is lawn watering. We can help reduce Dane County's water usage by implementing better landscape, lawn watering, and stormwater management practices. Some of these practices are described below.

Landscaping Practices

- Choose climate-appropriate, drought-tolerant, and native/adapted plant species

that are optimal for local conditions.

- Plant shrubs, trees and other vegetation in place of lawns.
- Mulch around your plants with compost or other organic material to help stabilize soil temperatures, prevent weeds, add nutrients and help conserve water.

Lawn Watering Practices

- *Water on Time*- Watering in the early morning increases the amount of infiltration and decreases the amount of evaporation.
- *Don't Overwater*- Overwatering can increase leaching of fertilizers and can harm your lawn's health by promoting the growth of short roots, fungi and weeds. Experts have noted that more than 50 percent of lawn irrigation goes to waste due to evaporation and overwatering.
- *Irrigation systems* – If installing an irrigation system consider a drip irrigation system with water efficient spray heads and rain and soil sensors. They are considered to be the most efficient automatic irrigation system. The rainfall and the soil sensors allow the sprinklers to activating only when the soil moisture levels are below a certain point.

Managing Stormwater to Conserve Water Use

- *Rain gardens* – Install rain gardens to collect and filter runoff on your property. Rain gardens are depressed areas usually located near a storm drain. More information about rain gardens can be found at the City of Fitchburg web site.
- *Limit impervious surfaces* - Install a porous pavement or porous concrete driveway to increase infiltration on your property.
- *Capture Rain Water for Lawn Watering* – Install a rain barrel to collect stormwater from downspouts for outdoor watering use.

Thank You Fitchburg Waterway Cleanup Volunteers!

The City of Fitchburg and the Fitchburg Resource Conservation Commission (RCC) would like to thank all the volunteers who helped with Fitchburg's Earth Day Waterway Cleanups this year. Four different groups of volunteers helped collect trash, recyclables and brush on Sat., April 20th. Over 70 volunteers including the Dunn's Marsh Neighborhood Association, Dane County Boys and Girls Club, and other waterway neighbors helped Fitchburg staff clean these areas. Altogether, four different areas were cleaned up, including: Apache Pond, Dunn's Marsh North Complex, Wildwood Kettle, Syene Road, and waterways along the north portion of the Swan Creek of Nine Springs Neighborhood. This year's waterway cleanup was kicked off with a special recognition ceremony for David Martin, who served as a member of Fitchburg's Recycling Committee, Resource Conservation Committee and Resource Conservation Commission from January 1986 to April 2013.

Volunteers removed over 25 large garbage bags of trash, 8 bags of recyclables, and ~10,000 cubic feet of brush from these areas, helping clean up our waterways and improve ecosystem health.

Don't worry if you missed out on this event - there are plenty of other opportunities to help around the community! We welcome any other volunteers interested in helping to keep these and other waterways clean throughout the year to contact Rick Eilertson, Fitchburg's Environmental Engineer, at rick.eilertson@city.fitchburg.wi.us or 270-4264 for more information.

Utility customers who complete and submit a Fitchburg Creek Supporter Pledge Form (available at: www.city.fitchburg.wi.us/stormwater) may be eligible for a reduction in their stormwater utility bill for pledging to help keep Fitchburg's waterways clean.

Nine Springs Creek Watershed Master Plan Update

The City of Fitchburg has received a grant from the WDNR in order to improve the quality of water within the Nine Springs Creek Watershed. The scope of the project consists of six objectives, completed by Fitchburg staff and consultants, aimed towards producing an overall strategy for water quality improvement and protection for this watershed. These objectives include:

1. Compiling historical information on stormwater facilities in the watershed
2. Holding public involvement meetings
3. Creating a Nine Springs Creek Watershed Master Plan including...
 - a. Necessary maintenance and management projects
 - b. Nutrient management plan for the Nine Springs Golf Course
 - c. Pollutant-reduction strategies
 - d. Updates to water-resource related ordinances
 - e. Site reviews for clean wastewater re-use
4. Updating Fitchburg stormwater mapping
5. Making financial recommendations for the Fitchburg Stormwater Utility
6. Creating stormwater management plan for Dunn's Marsh

The Master Plan has been moving along smoothly throughout the fall, winter and spring. Progress Reports have been put together on a quarterly basis and are available at: www.city.fitchburg.wi.us/departments/cityHall/publicWorks/stormwater/NineSpringsMasterPlan.php.

Most of the work to date includes field work, and stormwater modeling work done by City Staff, MSA Professional Services (the consulting firm conducting the stormwater modeling and draft stormwater recommendations) and Stantec (the consulting firm providing recommendations related to vegetation management and ecological restoration). On March 19th, 2013, the Dunn's Marsh Neighborhood Association held a meeting and City Staff along with representatives from the City of Madison and MSA presented information and answered questions about stormwater runoff for the watersheds flowing into Dunn's Marsh.

The next phase of the project includes a public information meeting to be held in August 2013 to review the draft recommendations and provide feedback to Fitchburg staff, MSA, and Stantec prior to the final recommendations being put together for a final public involvement meeting anticipated in late Fall or early Winter 2013-14.

To view a more comprehensive progress report, historical and working documents on the Nine Springs Creek Watershed and future meeting times and locations please visit www.city.fitchburg.wi.us/departments/cityHall/publicWorks/stormwater/NineSpringsMasterPlan.php or contact Mac Olsen at 270-4274 or mac.olsen@fitchburgwi.gov.

Water, Water Everywhere?

By: Samuel Cooke & Diane Streck, Fitchburg Resource Conservation Commission members

If you read the May 2013 Fitchburg Update, you already know that Dane County has the highest average water usage/person in the state. Did you know that the amount of groundwater pumped out for use in Dane County is significantly more than the amount of groundwater recharging Dane County's aquifers? Since groundwater is Dane County's primary source of drinking water, this is an important issue.

Did you also know that whenever you use water, you are also using electricity? The more water you use, the more electricity used to pump and pressurize the water system and, as a result, more money is spent on energy consumption and more greenhouse gasses are emitted.

Did you also know that Fitchburg has escalating water rates for residential use, i.e. the more water you use, the higher your rate?

When you combine increasing prices and greenhouse gas emissions with diminishing groundwater, conserving water makes a lot of sense.

Easy things you can do to conserve water:

- Raise the height of your mower and water established lawns only when it's absolutely necessary – turf can handle turning brown for a period of time, typically ~4 weeks, where it goes dormant until it gets a thorough soaking. When you decide to water, fully saturate your lawn with ~1" of water in order to promote deep root growth. Last year's drought caused problems because the soil temperature became too high caused by the extended dry period combined with high air temperatures. Watering lawns and gardens is one of the highest uses of water in Fitchburg.
- Mulch your flower/vegetable gardens to reduce evaporation from the soil.
- Collect rainwater to use for garden watering between rain events. Sustain Dane (www.sustaindane.org) and other organizations sell rain barrels and even offer installation. Fitchburg offers credits or rebates for conservation efforts such as rain barrels and rain gardens (which promote rainwater infiltration).
www.city.fitchburg.wi.us/stormwater
- Take shorter showers. Taking 5-minute showers instead of 10-minute showers can save over 10,000 gallons of water per year, per person.
- Don't continually run water while brushing your teeth, washing your hands, rinsing dishes, etc.
- Use water-saving products such as low-flow showerheads, faucet aerators and low-flush toilets.
- Run dishwashers and clothes washers only when full. When purchasing a dishwasher or clothes washer consider ones that are energy *and* water efficient.

Thanks for doing your part to conserve our water now and for future generations.

Fall Leaf and Lawn Cleanup – Curbside collection on weeks of Oct. 28th and Nov. 11th

The wonderful autumn season is coming and with it the Fall leaf and lawn cleanup. Before hauling your yard waste out for collection consider the natural value of your fallen leaves. Fallen

leaves and other yard waste are a valuable resource since they are high in phosphorus, an important nutrient for plant growth and a harmful pollutant for our lakes and streams.

Putting these nutrients to good use and preventing them from entering our storm drains can be done easily by mulching or composting leaves. Mulching your lawn is done by periodically mowing small amounts of leaves and yard waste, which reduces the need for raking and provides a good source of nutrients to your lawn. Shredding the leaves with a mulching mower greatly reduces the volume of leaves and speeds up their decomposition. Raked leaves also make excellent mulch. They can be used to protect roses and other plants over the winter. Adding leaves to your vegetable or flower garden in the fall is a great source of nutrients and a soil conditioner. Any leaves which do not break down over the winter can be tilled into the soil in the spring.

Fall leaves can also be recycled at home by composting. Composting is a simple process and requires little time or effort on the part of homeowners. Compost provides essential nutrients for healthy plant growth. It improves soil structure and helps hold in moisture so you can save money by reducing the amount of water and commercial fertilizers you use on your lawn and garden. Leaves are rich in carbon and useful for balancing nitrogen-rich materials like fresh grass clippings and food waste when you're composting. Stocking your compost piles with leaves in the fall will give you plenty of carbon rich material to balance out your grass clippings in the spring.

For information on other Leaf and Lawn Cleanup options and techniques, visit www.myfairlakes.com, www.fitchburgwi.gov/solidwaste or scan the QR code with a smart phone device. You can also stop by Fitchburg City Hall to view the "Leaf and Lawn Cleanup" display in the main hallway. Free "Love your Lakes, Don't Leaf Them" yard signs, beverage coasters, and "Dane Waters: A Reflection of Us All" dvds are available in the main lobby for you to use and show your love of Fitchburg's creeks and the lakes and rivers they drain to.

If you are setting your leaves and other yardwaste out for curbside collection this fall, there are three guidelines to be aware of.

1. Keep the leaves contained in a bag or container on the terrace of your yard, not in the street. Although some other municipalities may collect leaves this way, Fitchburg prohibits raking leaves into the street. Raking leaves into the street can clog storm sewers, contribute to water pollution in local lakes and streams, and necessitate more frequent street cleaning. Leaves, grass clippings, plastic bags, and trash in streets can clog storm sewer pipes, resulting in street flooding that can damage property and make street driving hazardous. Yardwaste debris and contaminants in the sewers also harms downstream environments. Nutrients, such as phosphorus and nitrogen found in yard waste encourage the growth of aquatic plants and algae, contributing to the unappealing smell and color of local ponds, lakes and streams while negatively affecting aquatic habitats. Leaves and other nutrients in the street this fall result in green stormwater ponds, lakes and streams next summer.

2. Know the collection dates of the curbside collection so that your leaves are on the curb for as short a time as possible. This year's fall leaf and yard waste collection will take place the **weeks of October 28th and November 11th, 2013** for residents of single family homes and apartments with up to four-units who receive City refuse & recycling collection. Pellitteri Waste Systems will

begin collection on Monday of each week, and may continue through Saturday (or later depending on weather constraints). Your yard waste will not necessarily be collected on the same day as your pickup for refuse and recycling. **Please have leaves at the curb by 6:30 a.m. on the Monday that collection begins, regardless of which day your refuse and recycling is collected.**

3. Know your yardwaste collection container options. Place leaves and yard waste at the curb in reusable containers or in bags no larger than 50 gallons or 50 lbs. each. **The non-reusable black plastic bags are to be left untied with a container for Pellitteri staff to place them in.** Loose leaves will not be collected. Although the fall cleanup is intended primarily for leaves, other non-woody yard waste will be collected, including grass clippings, weeds, flowers, garden debris, etc.

A photo is included, depicting the most sustainable options (#1) to least sustainable (#4), but still acceptable, curbside yard waste set out options:

- 1 – No Yard Waste set at curb (composted onsite or mulched on lawn – preferred)
- 2 – Reused plastic cart or container, reusable hundreds of times
 - Reusable ~ 30-50 gallon polybag w/ drawstring handles or draw cord (~\$3-10/polybag)
- 3 – Compostable ~30-50 gallon paper bag w/ folded top (~\$0.50-1/bag)
 - Compostable ~ 30-50 gallon plastic-like bags (\$0.60-1.20/bag)
- 4 – **Untied** Non-recyclable ~30 gallon black plastic bag (\$0.10-0.20/bag)

Two Reusable 50 gallon polybags will be available for **FREE** to participating Fitchburg households while supplies last, at the **Fitchburg Compost Bin Sale on Saturday October 19th from 9 am to 11 am at the Fitchburg Public Works Maintenance Facility at 2373 S. Fish Hatchery Rd.**

All residents may also take yard waste to the Fitchburg Recycling Drop Off Site. The site is open every day during daylight hours. In addition, Fitchburg residents may drop off yard waste at Purple Cow Organics, LLC at 2159 Range Trail in Verona at no charge. Call (608) 848-4400 for hours and yardwaste preparation requirements.

Please contact Public Works at 270-4260 or by e-mail at publicworks@fitchburgwi.gov if you have any questions on yard waste collection procedures.

Nine Springs Creek Watershed Master Plan Update

The City of Fitchburg has received a grant from the WDNR in order to improve the quality of water within the Nine Springs Creek Watershed. The scope of the project consists of six objectives, completed by Fitchburg staff and consultants, aimed towards producing an overall strategy for water quality improvement and protection for this watershed.

The Master Plan has been moving along smoothly since the beginning of 2012 and is on track to be finished by the end of 2013. Quarterly Progress Reports detailing the work accomplished by the Master Plan Team are available on the Master Plan web page shown below.

The work completed since the last Fitchburg Update includes field work, stormwater modeling and draft recommendations completed by City Staff, MSA Professional Services (the consulting

firm conducting the stormwater modeling and draft stormwater recommendations) and Stantec (the consulting firm providing recommendations related to vegetation management and ecological restoration). Several meetings have taken place with the Nine Springs Creek Watershed Master Plan team, as well as DNR staff, discussing the modeling process, revised draft recommendations and other future planning efforts. To view the meeting minutes for these meetings, please visit the Nine Springs Watershed Master Plan site.

City staff and consultants have also completed three stormwater facility walk-throughs with residents at the Bosshard, Harlan Hill East, and Longford ponds. The purpose of these walk-throughs is to create site specific management plans for stormwater ponds throughout the Nine Springs Creek watershed. If you and your neighborhood are interested in creating a management plan for a stormwater pond near you, please contact Rick Eilertson and Mac Olsen.

The next phase of the project includes a public information meeting to be held in on September 26, 2013 at 6:30pm the Fitchburg Library Meeting Room A&B to review the draft recommendations and provide feedback to Fitchburg staff, MSA, and Stantec prior to the final recommendations being put together for a final public involvement meeting anticipated in late Fall or early Winter 2013-14.

To view the quarterly progress reports, historical and working documents on the Nine Springs Creek Watershed and future meeting times and locations please visit www.fitchburgwi.gov/departments/cityHall/publicWorks/stormwater/NineSpringsMasterPlan.php or contact mac.olsen@fitchburgwi.gov or rick.eilertson@fitchburgwi.gov.

Nine Springs Creek Watershed Master Plan Public Involvement Workshop
Green Thursday, December 12, 2013, 6 - 9PM at the Library Meeting Room

The Nine Springs Creek Watershed Master Plan is nearly finished! The scope of the project consists of six objectives, completed by Fitchburg staff and consultants, aimed towards producing an overall strategy for water quality improvement and protection for this watershed.

The next phase of the project includes a public involvement workshop to be held on December 12 from 6 - 9 PM at the Fitchburg Library Meeting Room A&B. The draft agenda includes the following items:

6:00 PM – Exhibits detailing recommended Best Management Practice (BMP) improvements throughout the watershed can be viewed and staff will be available to discuss the improvement areas. A few of the top priority BMP recommendation locations include McKee Farms Park, Dunns Marsh, the Nine Springs Golf Course, and Seminole Village Pond.

6:30 PM – An overview of the Nine Spring Creek Watershed Master Plan will be presented by Rick Eilertson, the City of Fitchburg's Environmental Engineer.

7:00 PM – The stormwater modeling process and the results of the modeling process will be presented by Eric Thompson, MSA Professional Services.

7:30 PM – Vegetation Management tools for ecological and stormwater quality improvements will be presenting by Steve Banovetz, Field and Stream Restorations.

7:45 PM – PermiTrack, a new web based construction site erosion control reporting process will be presented by Jeff Mazanec from R.A. Smith. PermiTrack will enable easier and quicker

construction site inspection reporting by builders, contractors, and consultants and also provide the public with the ability to view the web-based inspection reports and condition of the construction sites.

8:00 PM – Information about volunteer stream monitoring in the Rock River Basin will be presented by Nancy Sheehan.

8:15 PM - Exhibits detailing recommended Best Management Practice (BMP) recommendations throughout the watershed can be viewed and staff will be available to discuss the improvement areas.

More information can be viewed at: www.fitchburgwi.gov/stormwater and clicking “Nine Springs Watershed Master Plan” or by contacting rick.eilertson@fitchburgwi.gov or 270-4264.

We hope to see you all at this great Green Thursday event!

Construction Site Erosion Control Reporting Process Update – PermiTrack

The City of Fitchburg Stormwater Utility is updating and improving its erosion control permitting process for 2014 by employing a new reporting system called PermiTrack. PermiTrack is a web tool that provides City staff and permittees the ability to load and view erosion control permit and inspection information electronically. Using a hand-held tablet, smart phone or laptop, permittees and City staff can visit a site and perform the following:

- Create an inspection report
- Take and save photos
- View the site's erosion control inspection history
- Record observations that are automatically entered into a database.

Entering the inspection data using an electronic device eliminates the need for paper forms to track and file, making the process more efficient and sustainable. PermiTrack also provides public access to the information through a public map interface. This public interface allows users to view all active construction projects' key information and saved inspection records.

Improving the erosion control permitting process with PermiTrack also means that problems can be reported and resolved quickly. By using the PermiTrack tool, the City can quickly alert the responsible person of the erosion control permit to conduct a site visit or to complete other actions to maintain permit compliance.

Training sessions will be held with City Staff, Contractors, and Consultants in December and a brief overview for the public will be presented at the Green Thursday, Dec. 12, 2013 Nine Springs Creek Watershed Master Plan Public Involvement Workshop at the Fitchburg Public Library between 6 and 9pm. Please feel free to visit www.fitchburgwi.gov/stormwater to view more information on the PermiTrack implementation.

Save Money – Use Less Salt this Winter

Salt and sand contribute greatly to lake and stream pollution. Once it's spread on parking lots, streets, sidewalks and driveways, it's on its way to the nearest lake or stream and cannot be recovered. Fifty pounds of salt (one large bag) can pollute 10,000 gallons of water—which is equivalent to one teaspoon in a five-gallon bucket of water. Municipalities are working to cut salt

use while still keeping streets safe. So, let's all save money this winter with these helpful tips and help the lakes and streams at the same time.

- Always use a shovel first, especially if the pavement temperature is 32°F or more—don't waste money on deicers.
- Reserve deicers for ice, not snow. Shovel as soon as possible so that wet, heavy snow doesn't have the opportunity to turn to ice.
- All salt is not created equal. Various types of deicers perform differently at different temperature ranges. The most common and cheapest is sodium chloride ("rock salt"), but doesn't work when the pavement is colder than 15°F. Magnesium chloride and calcium chloride cost more, but you'll use less and it works in colder temps.
- Consider getting a pavement thermometer (~\$30) to help determine pavement temperatures, which can vary widely depending on how much sun shines on your driveway. (Plus, they're kind of fun to play with.)
- Measure your sidewalk and driveway so you know how much you need. A general guideline is to use 1-3 cups of salt per 1,000 square feet. Save money by using only what is needed.
- Apply liquid salt to the pavement before the storm and shovel a little while it's snowing. After the storm, shovel before using any salt. Most times, you won't need any. Use deicers on ice, don't waste it on snow.
- You can use 30% less deicer if you wet your salt with some water before applying it.
- While salt is sometimes mixed with sand to keep the sand from freezing into a solid block, it's not a good idea to use both at the same time on your sidewalk. The salt will melt the ice, but when it refreezes, the sand will be frozen below the surface where it can't do any good. Choose one or the other. Try removing the ice by hand first before using either sand or salt.
- If you have an area that tends to ice up, consider making it a priority to remedy next summer so you won't need to deice in the future.

Be a "Label Reader"!

Read the label on the ice melt product so that you know exactly what you are spending your hard-earned cash on. If the bag doesn't say otherwise, it's probably sodium chloride, but you're better off using something that says exactly what's in the bag. Some products claiming to be "green" or "pet safe" are simply chloride compounds. You can always ask for the Material Safety Data Sheet (MSDS) for the product—it will show percentages so that you can see if you are paying for pretty packaging of rock salt. And while you're reading, be sure to follow the application rates. You need much less of some products than others, so be sure not to waste money by over applying.

Labeled as:	Works Down to:	Approximate Cost	Pros/Concerns
Calcium Chloride	-25°F	\$35 for 50 pounds	Use much less than rock salt, chloride impacts; may damage concrete
Magnesium Chloride	5°F	\$30-\$35 for 50	less toxic than calcium chloride and

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		pounds; \$15-\$20 for 20 pounds	less damaging to concrete and pavement, but may corrode metals over time
Sodium Chloride ("rock salt")	15°F	\$6 for 25 pound bag	Chloride impacts
Calcium Magnesium Acetate (CMA)	25 °F	\$20 for 50 pounds	No chlorides; less toxic
Potassium Chloride	25°F		need to use more than rock salt; works slower than calcium chloride, safer on concrete
Sand	No melting effect	\$5 for a 20 lb bag	Not a deicer; for traction only; do not use with salt; accumulates in streets, lakes and streams; needs to be swept up, easily tracked into buildings






Urea and Amide/Glycol are other deicing products that are chloride free and touted as pet/kid/environmentally friendly, but generally are not as effective as chlorides. However, when combined with shoveling first, can be a useful alternative.

The Madison Area Municipal Storm Water Partnership is working with the Rock River Stormwater Group to reduce the amount of pollution making its way to our lakes and streams. The Yahara chain of lakes and the Yahara River both ultimately drain to the Rock River. Both groups thank you for helping to Renew the Rock by reducing stormwater pollution throughout the Rock River area. Learn more at www.myfairlakes.com and www.renewtherock.com.

Stormwater Articles appearing in the 2014 Fitchburg Update

Planning for 2014 Earth Day, Arbor Day, and Migratory Bird Day Events

April 22, 2014, marks the 44th Anniversary of Earth Day and April 25, 2014, is the 142nd year of celebrating Arbor Day. To commemorate these anniversaries, staff is beginning planning for the following events expected to be held between mid-April and early May 2014:

-  Annual Waterway Cleanups of Fitchburg's stormwater facilities and creeks
-  Biking, Walking, and/or Paddling Tours through the Nine Springs Creek Watershed
-  Electronics Recycling Event for computers, monitors, etc.
-  Shred Day Event for shredding and recycling confidential paper documents
-  Compost Bin & Rain Barrel Sale
- Spring Community Cleanup Day of Fitchburg Parks and City Hall
- Arbor Day / Earth Day / Migratory Bird Day Celebration - Tree Planting in Fitchburg Parks (Saturday, May 3, 2014), McKee Farms Park Tree Walk & Migratory Bird Day Celebration
- Nine Springs Birding Event – Fri. Evening, May 9 (www.madisonaudubon.org)

If you have ideas on any of these activities that you or your neighborhood association can get involved in, please contact Rick Eilertson, Fitchburg Environmental Project Engineer, at 270-4264, rick.eilertson@fitchburgwi.gov or Ed Bartell, Fitchburg Urban Forester/Naturalist, 270-4289, ed.bartell@fitchburgwi.gov.

Further information on the 2014 Earth Day, Arbor Day, and Migratory Bird Day Events will be included in the March 2014 Fitchburg Update. Final details will be posted at www.fitchburgwi.gov closer to the event.

Nine Springs Creek Watershed Master Plan Nearly Completed

Fitchburg staff and consultants are putting the finishing touches on the Nine Springs Creek Watershed Master Plan. This Master Plan has been funded by a \$75,000 grant received from the Wisconsin Department of Natural Resources (WDNR) as well as funding by the Fitchburg Stormwater Utility. Work began in the summer of 2012 and is nearing its completion now at the beginning of 2014. The scope of the project consisted of six objectives, completed by Fitchburg staff and consultants, aimed towards producing an overall strategy of ecological and water quality improvement and protection within the Nine Springs Creek Watershed.

The first objective was to compile historical information on stormwater facilities in the watershed. This was completed by scanning previous reports, studies, articles, and books with information pertaining to the Nine Springs Creek Watershed. Each document was reviewed and important recommendations were summarized within the Nine Springs Creek Watershed Master Plan. In total, 32 historical plan documents were scanned and are available electronically online on the Master Plan web page at:

<http://www.fitchburgwi.gov/departments/cityHall/publicWorks/stormwater/NineSpringsMasterPlan.php>.

The second objective was to hold public involvement meetings. The first public involvement meeting was a Stakeholder Kick Off Meeting held on August 16, 2012. The meeting presented information on the Nine Springs Creek Watershed and the objectives of the Master Plan. The second meeting was held on September 26th, 2013 where Fitchburg staff and consultants presented the preliminary results and recommendations from the reconnaissance efforts and stormwater modeling of the watershed. The third public involvement meeting was held on December 12th, 2013. This final public involvement workshop consisted of several presentations about the work completed, and the new programs and recommended plans for the watershed. In addition to the three public involvement meetings and workshop, four onsite stormwater facility walk-throughs were completed at Bosshard Pond, Harlan Hills East Pond, Longford Pond, and McKee Farms Park ponds.

The third objective is to create a Nine Springs Creek Watershed Master Plan. The master plan report consists of a description of the watershed, summaries of previous reports and their recommendations, work completed for the watershed modeling and reconnaissance, financial recommendations, regulatory recommendations, and watershed management recommendations. A draft document can be accessed at the Master Plan web page listed above.

The fourth objective was to update Fitchburg stormwater mapping system. This objective was completed by first collecting and organizing as-built plans for each stormwater facility and connecting the as-built plans with Fitchburg's computerized stormwater system inventory. Onsite stormwater facility inspections were then completed to supplement any missing or incomplete data from the asbuilt plans.

The fifth objective was to make financial recommendations for the Fitchburg Stormwater Utility. Stormwater Utility rate recommendations were provided by Trilogy Consultants and the recommendations were incorporated into the Nine Springs Creek Watershed Master Plan. City staff also recommendations which provided adjustments to Stormwater Credit amounts and added categories to the Creek Supporter Form.

The last objective of the Nine Springs Creek Master Plan was to create a stormwater management plan for Dunn's Marsh. Stantec and MSA's provided detailed analysis of Dunn's Marsh's ecological, hydraulic, and hydrologic health. The analysis results provided recommendations which are presented within the Nine Springs Creek Watershed Master Plan.

The Nine Springs Creek Watershed Master Plan is a comprehensive and detailed watershed study, which involved work conducted by MSA Professional Services, Stantec and City staff and also involved the participation and feedback from many stakeholders and Fitchburg residents. To view the detailed progress reports, historical and working documents on the Nine Springs Creek Watershed please visit:

www.fitchburgwi.gov/departments/cityHall/publicWorks/stormwater/NineSpringsMasterPlan.php or contact Rick Eilertson at 270-4264 or Rick.Eilertson@fitchburgwi.gov.

Fitchburg Initiates Web-based Erosion Control Inspection Process: PermiTrackESC

One method of protecting our streams and lakes from sediment runoff is using erosion control best management practices (BMPs) on construction sites. These practices can be as simple as adding a stone tracking pad to a job site entrance to knock the mud off of tires as vehicles leave a construction site, or as complex as a sediment pond to settle out mud from stormwater before it leaves the site.

In a typical year Fitchburg will have anywhere from 15 to 30 commercial/plat construction projects underway. Keeping track of what needs to be done for a particular project and making sure all projects are in compliance with their permit can be challenging. To meet this challenge Fitchburg is partnering with SEH Technology Solutions and RA Smith National to implement a web-based erosion control inspection process called PermiTrack. PermiTrackESC (<https://www.mypermitrack.com>) enables property owners or their contractors to file weekly erosion control inspection reports via a mobile device or personal computer (PC) instead of making hard copies that they need to make an extra effort to drop off, fax, e-mail or snail mail to Fitchburg staff. It also gives the property owner, contractor, and Fitchburg staff easy access to the project documents and past reports wherever they can get web access.

Fitchburg staff and contractors will be able to start using PermiTrackESC effective January 1, 2014. To help ease the transition Fitchburg and RA Smith National hosted training for city staff and interested contractors this past December. The training session for contractors is available on line at:

<http://factv.city.fitchburg.wi.us/Cablecast/Public/Show.aspx?ChannelID=2&ShowID=2852>

PermiTrackESC will save both contractors and city staff time, and protect our water resources by staying on top of erosion control practices to ensure that they are functioning properly. In addition an on line map of active projects and their current status will be accessible to the

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public. To access the map or if you'd like to learn more about Fitchburg's erosion control practices or PermiTrackESC's use in Fitchburg please visit:
<http://www.city.fitchburg.wi.us/departments/cityHall/publicWorks/stormwater/ErosionControl.php>
or contact Felipe Avila at felipe.avila@fitchburgwi.gov.

Spring 2014 Waterway Cleanup on April 19th

Fitchburg's Spring Waterway Cleanups for 2014 are tentatively planned for Saturday, April 19th from 9am until noon, rain or shine.*

This year's plan calls for cleanups on the north side of Dunn's Marsh along Crescent Road. In addition, there may be a cleanup group in your area, coordinated by your neighborhood association. Anyone interested in being a group leader may contact Rick Eilertson, Fitchburg Environmental Engineer, at rick.eilertson@fitchburgwi.gov or (608) 270-4264 to coordinate a cleanup in your neighborhood.

Fitchburg will provide refreshments and a tote bag or T-shirt to participants. Volunteers are encouraged to wear boots and bring work gloves. Please be forewarned: Restroom facilities are often not convenient to the planned cleanup locations.

*Further details on the Waterway Cleanups will be posted at www.fitchburgwi.gov/stormwater closer to the events.

Brush Collection Begins April 7th

Residents of single family homes and apartments with up to four-units who receive City refuse & recycling collection from Pellitteri Waste Systems and apartment complexes who pay for City brush collection service will receive fourteen curbside brush collections between April and November.

Brush should be placed on your driveway or terrace but should not be placed in the street. You should not place brush at the curb until the weekend before the Monday of the collection week. Leaving brush at the curb for extended periods, or placing brush at the curb long before the collection can result in a \$177 fine.

Please have brush at the curb by 6:30 a.m. Monday on the week of collection, regardless of which day your refuse and recyclables are collected.

Pellitteri collects brush with a packer type truck. Twigs less than 3/4-inch diameter (thumb-size) are considered yard waste and should be disposed of accordingly.

Brush Collection Requirements

- The maximum length for brush is 5 feet long. Longer branches will not be collected!
- The maximum branch size is 6 inches in diameter. Larger branches are considered firewood and will not be collected.
- Lay brush perpendicular to the street with the cut end toward the street. Pile brush neatly.
- Do not bring brush to the Recycling Drop Off Site. Violators will receive citations.

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Fitchburg residents may drop off brush at Purple Cow Organics (2159 Range Trail, Verona) at a reduced rate of \$22/ton. Call (608) 848-4400 for hours and brush preparation requirements.

Please contact Public Works at publicworks@city.fitchburg.wi.us or 270-4260 if you have any questions.

2014 Brush Collection Schedule	
Week of:	
April 7	August 4
April 21	August 25
May 5	September 15
May 19	September 29
June 2	October 13
June 23	October 27
July 14	November 17
*Actual collection dates may depend on weather	

Fitchburg Kicks Off Water Conservation Campaign on Thurs., April 3rd

When: Thursday, April 3, 6:30pm-8:00pm

Where: Fitchburg Public Library, 5530 Lacy Road

The Mayor and City of Fitchburg Staff have made water conservation a top priority for 2014. Learn about existing groundwater supplies in Dane County, how to fix your toilet, and outdoor water wise landscaping. The event will be held at the City of Fitchburg Public Library and will feature speakers from the Wisconsin Geologic and Natural History Survey, Benjamin Plumbing, and the City of Fitchburg Department of Public Works.

For more information visit: www.fitchburgwi.gov

Spring 2014 Waterway Cleanup Events on April 19th & 27th

Fitchburg's Spring Waterway Cleanups for 2014 are planned for Saturday, April 19th from 9am until noon and Sunday, April 27 from 1-3pm, rain or shine.*

The April 19th cleanup will start at Apache Pond (4491 Crescent Road). The April 27th cleanup will start at the stormwater pond near the McKee Farms Park Splash Pad (2930 Chapel Valley Road). Fitchburg will provide refreshments and a tote bag or T-shirt to participants. Volunteers are encouraged to wear boots and bring work gloves. Please be forewarned: Restroom facilities are often not convenient to the planned cleanup locations.

In addition, there may be a cleanup group in your area, coordinated by your neighborhood association. Anyone interested in being a group leader may contact Rick Eilertson to coordinate a cleanup in your neighborhood. Fitchburg will provide plastic bags for collecting trash and recyclables as well as Refuse Tags if needed.

*Further details on the Waterway Cleanups will be posted at www.fitchburgwi.gov/stormwater closer to the events.

For more information and/or to RSVP for the waterway cleanup events, please contact:
Rick Eilertson, Fitchburg Environmental Project Engineer
Rick.eilertson@fitchburgwi.gov
608-270-4264

Springtime Storm Showers Bring More Than Just Flowers

Spring is finally here! The snow has melted and the spring showers have started. When snow melts and rain falls, it flows across streets, driveways, parking lots and rooftops and transports sand, salt, leaves, oil, trash and many other pollutants directly to storm drains, which eventually ends up in our lakes and streams.

Some folks mistakenly think that water running off streets goes into a sewage treatment plant. But the truth is that it goes right to our lakes and streams.

You Can Help

There are many things each of us can do to prevent storm water pollution.

- 💧 Use salt sparingly during the winter.
- 💧 Sweep up any excess salt and sand left over from the snow shoveling season.
- 💧 Clean up pet waste year round – bag it and put the bagged pet waste in your refuse cart or collect it in a bucket until you can bury it properly.
- 💧 Keep cars well maintained and repair fluid leaks; but consider walking, public transportation or riding a bike whenever you can.
- 💧 Direct rainwater away from paved areas to lawns or gardens where it can soak in.
- 💧 Keep leaves and grass clippings out of the street. Compost yard waste, debris and leaves.
- 💧 Get a soil test before applying fertilizer to your lawn. Don't pay for something you don't need. If a test shows that your lawn does need fertilizer, apply it according to directions and carefully clean up any spills on paved surfaces.
- 💧 Wash your car on the lawn or at a car wash that sends its used water to the sewage treatment plant.
- 💧 Prevent soil erosion.
- 💧 Don't let anything but rain go down the storm drain or into the ditch.

Go to www.myfairlakes.com for more ideas on how you can help our lakes and streams.

Give Your Lawn a Checkup Before You Fertilize

After a long winter under a deep blanket of snow, your lawn is finally visible again, matted and brown. You may be thinking about spring cleaning and maintenance, including an application of fertilizer to ensure lush, green grass this summer. Before you fertilize, test your soil to see what your lawn needs. You may be wasting your time and money, and sending excess nutrients to local waterways where they feed algae and damage fish habitat, if you don't test first.

If your soil already has the right balance of nitrogen, phosphorous and potassium, you don't need to fertilize. To figure out your lawn's needs, send in a soil sample to be tested. The University of Wisconsin has a soil testing lab right in Madison. Any Wisconsin soil can be submitted for analysis at a cost of \$15/sample. A sample is two cups of soil collected in multiple

places from the top 4 inches of your lawn. The laboratory will return a report for each sample indicating soil pH, percent organic matter, phosphorus and potassium analysis. It will also provide recommendations on the addition of lime (for pH) and fertilizer.

Right now is a great time to test—you should have your results in time for a spring application, if one is recommended. You'll find everything you need on the UW soil lab website <http://uwlab.soils.wisc.edu/lawn-garden/> (or google "UW soil testing"), including the submission form and sampling instructions.

Keep your lawn healthy and our area waters clean year round by:

- leaving grass clippings on the lawn
- selecting fertilizers with no phosphorus (unless your soil test results show it's needed; it's the law here in Dane County)
- avoiding weed and feed products
- calibrating fertilizer spreaders correctly
- keeping fertilizer off of paved surfaces
- choosing fertilizers with at least 25%- 50% of the nitrogen in slow release form

The Madison Area Municipal Storm Water Partnership is working with the Rock River Stormwater Group to reduce the amount of pollution making its way to our lakes and rivers. The Yahara chain of lakes and the Yahara River both ultimately drain to the Rock River. Both groups thank you for helping to Renew the Rock by reducing stormwater pollution throughout the Rock River area. Learn more at www.myfairlakes.com and www.renewtherock.com.

Algae in Stormwater Ponds

With summer sun and heat in full swing, another stormwater side-effect becomes apparent: algae. Algae refers to a large group of plant-like organisms that undergo photosynthesis and grow in water. Algae is often misidentified with aquatic macrophytes, which are aquatic flowering plants, ferns, and mosses. Macrophytes are common in stormwater ponds, streams and wetlands and are classified by four categories floating unattached, floating attached, submerged and emergent seen below.

Common in many of our lakes and ponds, algal growth is accelerated by stormwater runoff collecting nutrient loads of nitrogen and phosphorus found in fertilizers. Not all algae are harmful, but some bacteria do occupy similar habitats as algae and produce certain risks. One of the largest offenders in Wisconsin is "blue-green algae". Blue-green algae is actually not an algae at all but a photosynthetic bacteria called cyanobacteria growing in nutrient rich lakes and ponds between mid-June and late-September. In some cases, blue-green algae produce toxins that can affect the skin, liver, internal organs, respiratory, and nervous systems. Not all blue-green algae produce these toxins, and it is difficult to distinguish when the toxins are being released. Exposure can come from skin contact, inhalation, and/or ingestion.

Another problem associated with algae are algal blooms, which are rapid increases of algae populations in a lake or pond. Algal blooms result from excess nutrients running off into the water body most notably phosphorus, commonly found in fertilizers. The algal blooms last a short period and produce large amounts of decaying algal which consumes oxygen in the aquatic habitat. Reduced oxygen levels damage the aquatic system and harm other aquatic life.

The City of Fitchburg has actively tested algae samples on stormwater ponds for the last three years with help from Professor Linda Graham at the University of Wisconsin. The ponds sampled over the three years were Swan Creek Pond, The Crossing Ponds, Northern Lights Pond, Arrowhead West & East Pond, McKee Farms North Pond, Longford Pond, Oak Bank Pond and Ashbourne Pond. Most of the ponds sampled had healthy populations of both macrophytes (aquatic plants) and algae. It was only on the ponds with clearer water and lower populations of aquatic plants and algae that cyanobacteria was found.

When there is a balance of aquatic plants and algae harmful cyanobacteria tend not to exist in high concentrations. UW Madison researcher Linda Graham commented "People might think masses of green algae unsightly, but it is far better to have those algae sequestering nutrients from the water, to prevent those nutrients from helping toxic cyanobacteria to grow." While certain algae sampled was harmless and actually beneficial, we did find some toxic cyanobacteria in some ponds, specifically Swan Creek, The Crossing and Arrowhead West pond, during some of the sampling efforts. Stormwater ponds are not designed for public recreation and should be treated with caution, especially for children and pets.

To view past algae and nutrient sampling results and recommendations for each of the ponds sampled throughout the last three years please visit www.fitchburgwi.gov/documentcenter/view/441 or contact rick.eilertson@fitchburgwi.gov.

Thank You Fitchburg Waterway Cleanup Volunteers!

The City of Fitchburg and the Fitchburg Resource Conservation Commission (RCC) would like to thank all the volunteers who helped with Fitchburg's Annual Waterway Cleanups this year. Three different groups of volunteers helped collect trash and recyclables at Dunn's Marsh and Yarmouth Greenway. Community members, City of Fitchburg staff, RCC members and elected officials all helped out, including: Bill Scheuerell, Steve Streck, Paul Lundsten, Mayor Shawn Pfaff, Dorothy Krause, Steve Arnold, Diane Streck, Tony Hartmann, Jan Kucher, Chris Jimieson, Rick Eilertson, Felipe Avila, Kristofer Canto, and members of Girl Scout Daisy Troop 2157 and Brownie Troup 2747 (Jill McNaughton, Leigh Schmidt, Kelli Schmidt, Ellen Osthelder, Sara Osthelder, Allison Schmidt, Lizzie Schmidt, Sydney Schulz, Hannah Schmidt, Emma Yeager, Sophie Hodkiewicz, Isabella Moreau, Audrie Junge, and Lizzy Robinson).

In total, volunteers removed 27 large garbage bags of refuse and 13 bags of recycling from these areas, helping clean up our waterways and improve ecosystem health. Some of the more interesting items collected from these areas include an unopened bottle of champagne, a fire extinguisher, a dog kennel, a bike, carpet and scrap metal.

Don't worry if you missed out on this event - it is a yearly event and there are plenty of other opportunities to help around the community! We welcome any other volunteers interested in helping to keep these and other waterways clean throughout the year to contact Rick Eilertson, Fitchburg's Environmental Engineer, at Rick.Eilertson@fitchburgwi.gov or 270-4264 for more information.

Fitchburg's Stormwater Utility will provide extra bags and/or Refuse Tags to volunteers who clean up Fitchburg waterways and/or road ditches. Also, Stormwater Utility customers who

complete and submit a Fitchburg Creek Supporter Pledge Form (available at: www.fitchburgwi.gov/stormwater) may be eligible for a reduction in their stormwater utility bill for pledging to help keep Fitchburg's waterways clean.

Fall Leaf and Lawn Cleanup – Curbside collection on weeks of Oct. 27th and Nov. 17th

The wonderful autumn season is coming and with it the Fall leaf and lawn cleanup. Before hauling your yard waste out for collection consider the natural value of your fallen leaves. Fallen leaves and other yard waste are a valuable resource since they are high in phosphorus, an important nutrient for plant growth and a harmful pollutant for our lakes and streams.

Putting these nutrients to good use and preventing them from entering our storm drains can be done easily by mulching or composting leaves. Mulching your lawn is done by periodically mowing small amounts of leaves and yard waste, which reduces the need for raking and provides a good source of nutrients to your lawn. Shredding the leaves with a mulching mower greatly reduces the volume of leaves and speeds up their decomposition. Raked leaves also make excellent mulch. They can be used to protect roses and other plants over the winter. Adding leaves to your vegetable or flower garden in the fall is a great source of nutrients and a soil conditioner. Any leaves which do not break down over the winter can be tilled into the soil in the spring.

Fall leaves can also be recycled at home by composting. Composting is a simple process and requires little time or effort on the part of homeowners. Compost provides essential nutrients for healthy plant growth. It improves soil structure and helps hold in moisture so you can save money by reducing the amount of water and commercial fertilizers you use on your lawn and garden. Leaves are rich in carbon and useful for balancing nitrogen-rich materials like fresh grass clippings and food waste when you're composting. Stocking your compost piles with leaves in the fall will give you plenty of carbon rich material to balance out your grass clippings in the spring.

For information on other Leaf and Lawn Cleanup options and techniques, visit www.myfairlakes.com, www.fitchburgwi.gov/solidwaste or scan the QR code with a smart phone device. You can also stop by Fitchburg City Hall to view the "Leaf and Lawn Cleanup" display in the main hallway. Free "Love your Lakes, Don't Leaf Them" yard signs, beverage coasters, and "Dane Waters: A Reflection of Us All" dvds are available in the main lobby for you to use and show your love of Fitchburg's creeks and the lakes and rivers they drain to.

If you are setting your leaves and other yardwaste out for curbside collection this fall, there are three guidelines to be aware of.

1. Keep the leaves contained in a bag or container on the terrace of your yard, not in the street.

Although some other municipalities may collect leaves this way, Fitchburg prohibits raking leaves into the street. Raking leaves into the street can clog storm sewers, contribute to water pollution in local lakes and streams, and necessitate more frequent street cleaning. Leaves, grass clippings, plastic bags, and trash in streets can clog storm sewer pipes, resulting in street flooding that can damage property and make street driving hazardous. Yardwaste debris and contaminants in the sewers also harms downstream environments. Nutrients, such as

phosphorus and nitrogen found in yard waste encourage the growth of aquatic plants and algae, contributing to the unappealing smell and color of local ponds, lakes and streams while negatively affecting aquatic habitats. Leaves and other nutrients in the street this fall result in green stormwater ponds, lakes and streams next summer.

2. Know the collection dates of the curbside collection so that your leaves are on the curb for as short a time as possible.

This year's fall leaf and yard waste collection will take place the **weeks of October 28th and November 11th, 2013** for residents of single family homes and apartments with up to four-units who receive City refuse & recycling collection. Pellitteri Waste Systems will begin collection on Monday of each week, and may continue through Saturday (or later depending on weather constraints). Your yard waste will not necessarily be collected on the same day as your pickup for refuse and recycling. **Please have leaves at the curb by 6:30 a.m. on the Monday that collection begins, regardless of which day your refuse and recycling is collected.**

3. Know your yardwaste collection container options.

Place leaves and yard waste at the curb in reusable containers or in bags no larger than 50 gallons or 50 lbs. each. **The non-reusable black plastic bags are to be left untied with a container for Pellitteri staff to place them in.** Loose leaves will not be collected. Although the fall cleanup is intended primarily for leaves, other non-woody yard waste will be collected, including grass clippings, weeds, flowers, garden debris, etc.

A photo is included, depicting the most sustainable options (#1) to least sustainable (#4), but still acceptable, curbside yard waste set out options:

- 1 – No Yard Waste set at curb (composted onsite or mulched on lawn – preferred)
- 2 – Reused plastic cart or container, reusable hundreds of times
 - Reusable ~ 30-50 gallon polybag w/ drawstring handles or draw cord (~\$3-10/polybag)
- 3 – Compostable ~30-50 gallon paper bag w/ folded top (~\$0.50-1/bag)
 - Compostable ~ 30-50 gallon plastic-like bags (\$0.60-1.20/bag)
- 4 – **Untied** Non-recyclable ~30 gallon black plastic bag (\$0.10-0.20/bag)

All residents may also take yard waste to the Fitchburg Recycling Drop Off Site. The site is open every day during daylight hours. In addition, Fitchburg residents may drop off yard waste at Purple Cow Organics, LLC at 2159 Range Trail in Verona at no charge. Call (608) 848-4400 for hours and yardwaste preparation requirements.

Please contact Public Works at 270-4260 or by e-mail at publicworks@fitchburgwi.gov if you have any questions on yard waste collection procedures.

Wisconsin's Recycling Leader Looks to Water

Water Conservation Campaign

Mayor Pfaff and Fitchburg City Staff have made water use and conservation initiatives a top priority for 2014. Located within the Yaraha Lakes Chain and the Rock River Watershed basin, Fitchburg is going above and beyond to ensure our most critical resource remains protected.

In April Fitchburg participated in the Wyland Foundation Mayor's Challenge for Water Conservation, ranking 13th amongst communities of similar size. This Challenge encouraged residents to conserve water throughout the year by pledging online. The April kick-off event included information on existing groundwater supplies in Dane County, how to fix your toilet, and outdoor water wise landscaping. The event was held at the City of Fitchburg Public Library and featured speakers from the Wisconsin Geologic and Natural History Survey, Benjamin Plumbing, and the City of Fitchburg Department of Public Works.

Advanced Metering Infrastructure

The City of Fitchburg Water Utility has also begun installation of an Advance Metering Infrastructure (AMI) system for water meter reading and residential cross connection surveys. These installations and surveys will be completed over a three year period.

As part of the installation of the AMI system, the City will be upgrading all water meters to a newer wireless technology that provides hourly water consumption data. With this upgrade, the City will no longer need to drive by each property to collect meter reads; they will be able to better track water consumption, provide timely and accurate responses to billing questions, and will be able to provide faster customer leak identification.

Nine Springs Creek Watershed Master Plan

In 2011, the Wisconsin Department of Natural Resources (WDNR) created the Rock River Basin Total Maximum Daily Load (TMDL) standard. Several water ways within the Rock River Basin are listed on the state's 303(d) list, including the Yahara River and Nine Springs Creek. With financial support from the Wisconsin Urban Nonpoint Source Water Pollution Abatement & Stormwater Management Grant Program, the City of Fitchburg has conducted stormwater planning activities to ensure the Nine Springs Creek Watershed meets standards set forth by the Rock River TMDL while also protecting public/private safety. Objectives for the Stormwater Management and Grant Program included:

1. Compile and analyze prior studies of stormwater facilities within the Nine Springs Creek Watershed, with emphasis on Dunn's Marsh;
2. Conduct public involvement meetings and generate community awareness surrounding the Nine Springs Creek Watershed;
3. Create a Nine Springs Creek Watershed Master Plan with proposed stormwater best management practices;
4. Update mapping and Geographical Information Systems (GIS) for stormwater infrastructure; and
5. Determine a long-term rate structure for the stormwater utility.
6. Complete detailed management recommendations for Dunn's Marsh.

A Forward Fitchburg

Fitchburg recognizes the importance water plays in our own individual health, environmental systems, and Wisconsin's economy. As a community, we have committed ourselves to protecting our water resources and supporting the vision of a Forward Fitchburg.

Save Money – Use Less Salt this Winter

Salt and sand contribute greatly to lake and stream pollution. Once it's spread on parking lots, streets, sidewalks and driveways, it's on its way to the nearest lake or stream and cannot be recovered. Fifty pounds of salt (one large bag) can pollute 10,000 gallons of water—which is equivalent to one teaspoon in a five-gallon bucket of water. Municipalities are working to cut salt use while still keeping streets safe. So, let's all save money this winter with these helpful tips and help the lakes and streams at the same time.

- Always use a shovel first, especially if the pavement temperature is 32°F or more—don't waste money on deicers.
- Reserve deicers for ice, not snow. Shovel as soon as possible so that wet, heavy snow doesn't have the opportunity to turn to ice.
- All salt is not created equal. Various types of deicers perform differently at different temperature ranges. The most common and cheapest is sodium chloride ("rock salt"), but doesn't work when the pavement is colder than 15°F. Magnesium chloride and calcium chloride cost more, but you'll use less and it works in colder temps.
- Consider getting a pavement thermometer (~\$30) to help determine pavement temperatures, which can vary widely depending on how much sun shines on your driveway. (Plus, they're kind of fun to play with.)
- Measure your sidewalk and driveway so you know how much you need. A general guideline is to use 1-3 cups of salt per 1,000 square feet. Save money by using only what is needed.
- Apply liquid salt to the pavement before the storm and shovel a little while it's snowing. After the storm, shovel before using any salt. Most times, you won't need any. Use deicers on ice, don't waste it on snow.
- You can use 30% less deicer if you wet your salt with some water before applying it.
- While salt is sometimes mixed with sand to keep the sand from freezing into a solid block, it's not a good idea to use both at the same time on your sidewalk. The salt will melt the ice, but when it refreezes, the sand will be frozen below the surface where it can't do any good. Choose one or the other. Try removing the ice by hand first before using either sand or salt.
- If you have an area that tends to ice up, consider making it a priority to remedy next summer so you won't need to deice in the future.

Be a "Label Reader"!

Read the label on the ice melt product so that you know exactly what you are spending your hard-earned cash on. If the bag doesn't say otherwise, it's probably sodium chloride, but you're better off using something that says exactly what's in the bag. Some products claiming to be "green" or "pet safe" are simply chloride compounds. You can always ask for the Material Safety Data Sheet (MSDS) for the product—it will show percentages so that you can see if you are paying for pretty packaging of rock salt. And while you're reading, be sure to follow the application rates. You need much less of some products than others, so be sure not to waste money by over applying.

Labeled as:	Works Down	Approximate Cost	Pros/Concerns
--------------------	-------------------	-------------------------	----------------------

2013 - 2014 Biennial Report
Group Municipal Storm Water Discharge Permit
WPDES Permit No. WI S058416-3
Appendix B – Stormwater Management Program

	to:		
Calcium Chloride	-25°F	\$35 for 50 pounds	Use much less than rock salt, chloride impacts; may damage concrete
Magnesium Chloride	5°F	\$30-\$35 for 50 pounds; \$15-\$20 for 20 pounds	less toxic than calcium chloride and less damaging to concrete and pavement, but may corrode metals over time
Sodium Chloride (“rock salt”)	15°F	\$6 for 25 pound bag	Chloride impacts
Calcium Magnesium Acetate (CMA)	25 °F	\$20 for 50 pounds	No chlorides; less toxic
Potassium Chloride	25°F		need to use more than rock salt; works slower than calcium chloride, safer on concrete
Sand	No melting effect	\$5 for a 20 lb bag	Not a deicer; for traction only; do not use with salt; accumulates in streets, lakes and streams; needs to be swept up, easily tracked into buildings

Urea and Amide/Glycol are other deicing products that are chloride free and touted as pet/kid/environmentally friendly, but generally are not as effective as chlorides. However, when combined with shoveling first, can be a useful alternative.

The Madison Area Municipal Storm Water Partnership is working with the Rock River Stormwater Group to reduce the amount of pollution making its way to our lakes and streams. The Yahara chain of lakes and the Yahara River both ultimately drain to the Rock River. Both groups thank you for helping to Renew the Rock by reducing stormwater pollution throughout the Rock River area. Learn more at www.myfairlakes.com and www.renewtherock.com.

Appendix C

Storm Sewer System Map

Fitchburg staff submitted revisions to its storm sewer system map to the City of Madison. The City of Madison includes a copy of the updated storm sewer system map in its Biennial Report for compliance with WPDES Permit No. WI S058416-3.

Appendix D

Water Quality Concerns

VI.b. Impaired Waterbody: Nine Springs Creek. The following practices were used to improve the water quality discharging into the creek: detention ponds, street sweeping, and public education and outreach for the Nine Springs Creek watershed. A Stormwater Master Plan for Nine Springs Creek was being created until grant funding was removed by the DNR in 2009. A new grant for the Stormwater Master Plan was awarded by DNR in 2010 and subsequently defunded. This grant was awarded again in 2012 and work proceeded on the following tasks:

1. Compile historical information on stormwater facilities in the Nine Springs Creek Watershed,
2. Hold public involvement meetings,
3. Create the Nine Springs Creek Watershed Master Plan,
4. Updating the stormwater system mapping,
5. Prepare financial recommendations for the Fitchburg Stormwater Utility, and
6. Create the Dunn's Marsh Stormwater Management Plan.

Initial recommended stormwater concept plans were sent to DNR in Summer 2013. As meetings progressed with DNR, several issues such as navigability determinations and wetland determinations came up which delayed the final release of the Nine Springs Watershed Master Plan. DNR submitted a letter on January 13, 2015 with their final analysis of navigability and wetland determinations for the various recommended stormwater improvements. Fitchburg staff is in the process of reviewing this letter prior to finalizing the Nine Springs Watershed Master Plan.

VI.c. Identify any known water quality improvements in the receiving water to which the MS4 discharges during the reporting period: Red Arrow Pond was constructed in 2013 (~0% TSS reduction to ~50% TSS reduction in that subwatershed. Pine Ridge Pond was retrofitted from a dry pond to a bioretention pond in 2014 (~0% TSS reduction to ~75% TSS reduction in that subwatershed). The City of Madison also constructed the Renaissance Stormwater Treatment Structure upstream of Dunn's Marsh during December 2014; however, screens were't installed until 2015 so the actual treatment efficiency won't be reached until the 2015-2016 Biennial Report.

VI.d. Identify any known water quality degradation in the receiving water to which the MS4 discharges during the reporting period and what actions are being taken to improve the water quality in the receiving water: The City's Stormwater Utility Credit and Rebate program, municipal stormwater facility retrofits (Red Arrow Pond, Pine Ridge Pond conversion), Nine Springs Creek Watershed Master Plan, and improved public education and outreach are actions being taken to improve water quality for receiving waters within and downstream of Fitchburg.

APPENDIX E

Additional Information

VII.a. Description of any revisions or proposed revisions to any element of the municipality's storm water management program. The City is finalizing the Nine Springs Creek Watershed Master Plan to guide future improvements to water quality and hopes to conduct a similar planning process in other urban stormwatersheds.

VII.b. Updated listing and contact information for any new industrial facilities that may be regulated under Subchapter II of NR 216, Wis. Adm. Code, and that have commenced operation during the reporting period. Public Works staff is not aware of any new facilities that would pertain to this section.

VII.c. Summary of any other activities undertaken to comply with the conditions of this permit or other information you feel the Department of Natural Resources should be aware of: The City created a Stormwater Utility in 2002 to fund stormwater activities. The Stormwater Utility is responsible for maintaining and upgrading the City stormwater management facilities. Services include street sweeping, stormwater pond and streambank improvements, and public education and outreach.

Property owners within the Fitchburg with impervious areas >3,700 sf are charged a quarterly or annual fee (depending on whether they're in the urban service area or rural service area). The amount of the fee is based on the total impervious area of the property. Credits and Rebates to this stormwater utility fee are available to property owners. The fees, as well as the available credits, are made available to the public at: www.fitchburgwi.gov/stormwater.



Scott Endl, Director
Parks, Recreation and Forestry

Memo

From: Scott Endl – PRF

Tracy Foss – Utility Project Engineer

To: Board of Public Works

Park Commission

Finance Committee

Date: February 10th, 2015

Ref: Resolution R-107-14: Rejection of all bids for:

Purchase and Installation of Three Shade Structures and Other Improvements at McKee Farms Park Splashpad

Background: The Park Commission, in partnership with the Fitchburg Optimist Club, are making efforts to address the community's interest in Shade Structures at McKee Farms Park Splashpad for the 2015 season. This partnership includes a \$13,000 commitment from the Fitchburg Optimist Club to fund one shade structure.

The 2017 Capital Improvement Budget (Project 6212) includes funding for two shade structures (\$40,000). In taking into consideration the request from the community along with the contribution from the Optimist Club this improvement would be recommended to be moved up to 2015, with additional contributions from Optimists and debt. In addition to the shade structures, it is recommended to install trench drains at the east and west ends of the splash pad to eliminate muddy conditions that have occurred in the past two seasons.

Construction plans/specifications were prepared by Angus Young and the Public Works Department has obtained competitive bids. This project was advertised by legal notice in the Wisconsin State Journal on January 9, 2015 and January 16, 2015 along with being posted on www.demandstar.com; On January 27th sealed bids were received and publicly opened with the results listed below:

Advance Building Corporation was found to be the lowest responsive bid and in compliance with the bid specifications. After reviewing the bids it was determined that the prices that were received exceeded the dollars allocated for this shade structure project, therefore staff is recommending the rejection of both these bids.

- Advanced Building Corporation - \$98,200
- Gilbank Construction, Inc. - \$102,800

These projects will be rebid in February with a modified scope of work with an effort to remain in budget along with a timeline of completion for the 2015 season.

Shawn Pfaff, Mayor
Introduced By

Parks, Recreation & Forestry
Drafted By

Park Commission, Board of Public Works & Finance
Committee

November 11, 2014
Date

Resolution R-107-14

**AUTHORIZING PURCHASE AND INSTALLATION OF THREE SHADE STRUCTURES
AND OTHER IMPROVEMENTS AT MCKEE FARMS PARK SPLASHPAD**

WHEREAS, the 2017 Capital Improvement Budget includes debt funding in the amount of \$40,000 for the Installation of two shade structures at the McKee Farms Park Splashpad: and

WHEREAS, the Fitchburg Optimist Club as committed \$13,000 towards an additional shade structure; and

WHEREAS, it has been recommended to move this improvement project up to 2015 due to the community's request for these Shade Structures; and

WHEREAS, construction plans/specifications were prepared by Angus Young and the Public Works Department has obtained competitive bids; and

WHEREAS, the project was advertised by legal notice in the Wisconsin State Journal on November 14, 2014 and November 21, 2014 and was posted on www.demandstar.com; and

WHEREAS, on December 1, 2014 at 11:00 a.m. (xx) sealed bids were received and publicly opened with the results listed on the attached bid tab; and

WHEREAS, the low bidder, (xxx) was found to be the lowest responsive bid and in compliance with the bid specifications.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Fitchburg Common Council that it approves the award of the McKee Farms Park Splashpad installation in the amount of (xxx).

BE IT FURTHER RESOLVED that the 2015 Capital Fund budget be amended to authorize funding for this project.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to sign the contracts with (xxx) for this McKee Farms Park Splashpad work.

Adopted by the Common council of the City of Fitchburg this 9th day of December, 2014

Approved By: _____
Shawn Pfaff, Mayor

Approved By: _____
Patti Anderson, City Clerk

City of Fitchburg

Committee or Commission Referral

Direct Referral Initiated by:

Direct Referral Approved by:

Date Referred: **February 10, 2015**

Ordinance Number:

Date to Report Back: **February 24, 2015**

Resolution Number: R-12-15

Sponsored by: Mayor

Drafted by: Public Works

TITLE: A RESOLUTION ACCEPTING A UNDERGROUND ELECTRIC - GAS MAIN RIGHT-OF-WAY GRANT ON OUTLOT 6 IN THE PLAT OF NORTH PARK, CITY OF FITCHBURG, WISCONSIN

Background:

Six foot (6') utility easements were provided on the North Park plat for gas, electric, telephone and cable. During construction, Madison Gas & Electric informed the developer that these easements were not wide enough to accommodate installation of the gas main in the same location as electric, telephone, and cable. The developer has requested additional easement area on Outlot 6 to accommodate these installations. The utilities within this additional easement area will service Lots 3 through 5 within the plat.

Order	Referred To	Staff Contact	Place on Agenda For	Action Taken On Referral
1	Board of Public Works	Horton	2/16/15	
2	Planning Commission	Hovel	2/17/15	
3				
4				

Amendments:

	<div>RIGHT-OF-WAY GRANT UNDERGROUND ELECTRIC - GAS MAIN</div>	
Document No.		
<p>The undersigned, herein called Grantor, in consideration of One Dollar (\$1.00) and other valuable considerations, paid to Grantor by MADISON GAS AND ELECTRIC COMPANY, a Wisconsin corporation, Grantee, receipt of which is hereby acknowledged, does hereby grant, convey, and warrant unto said Grantee, its successors, and assigns, the perpetual right and easement to construct, maintain, and operate manholes, conduits, cables, pedestals, transformers, and other appurtenances necessary for the transmission and distribution of electrical current and Grantee's communication signals and to construct, lay, operate, maintain, inspect, replace, and remove a pipeline, including valves, metering, regulating, and other appurtenances necessary for the distribution of gas upon, along, across, under, and through the following described land located in Dane County, Wisconsin:</p> <p>A strip of land, varying in width, located in Outlot 6, North Park Fitchburg, lying in part of the NE¼ of the NW¼ of Section 14, T6N-R9E, City of Fitchburg, Dane County, Wisconsin, said strip being more particularly described as follows:</p> <p>See Exhibits "A" and "B" attached hereto.</p> <p>This easement also to grant, convey, and warrant the subordinate and junior right of AT&T Wisconsin, a Wisconsin corporation, and Charter Communications, Inc., to install, remove, replace, access and maintain underground communication cables, television cables, and appurtenances, under, across, and through the right-of-way herein conveyed. In the event AT&T or Charter Communications defaults on their obligation hereby accepted, MGE shall not be liable and shall retain all rights herein granted.</p>		
<div>THIS SPACE RESERVED FOR RECORDING DATA</div>		
<div>Return To: Rights-of-Way Department Madison Gas and Electric Co. P.O. Box 1231 Madison, WI 53701-1231</div> <div>PIN 225/0609-142-0200-2</div> <div>MGE Easement No.</div>		

TOGETHER with the right to enter upon said land for the above purposes, including repairing or removing the same, and the right to trim or remove such trees and brush as may now or hereafter interfere with or endanger said facilities. The Grantee shall not have the right to erect any fence or other structures unless otherwise specifically provided for herein. The Grantor shall have the right to use and enjoy the surface of the right-of-way conveyed hereby, but shall not interfere with the use of same by Grantee for purposes hereinabove granted. The Grantor shall not build, create, or construct any buildings or other structures, plant trees, inundate, or change the grade of said right-of-way, nor permit others to do so without the express written consent of the Grantee. It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until sometime in the future and that none of the rights herein granted shall be lost by non-use.

This Agreement is binding upon heirs, administrators, executors, and assigns of Grantor.

The undersigned warrants and represents that the undersigned has the proper power and authority to grant this Right-of-Way Grant.

WITNESS, the hand and seal of the Grantor(s) this _____ day of _____ 20____.

CITY OF FITCHBURG

_____(SEAL) _____(SEAL)

_____(SEAL) _____(SEAL)

STATE OF WISCONSIN)ss
COUNTY OF _____) ACKNOWLEDGMENT

Personally came before me this _____ day of _____ 20____ the above-named _____
_____ to me known (or satisfactorily proven) to be the person(s) who executed the foregoing instrument and acknowledged the same.

This instrument drafted by
Madison Gas and Electric Company
Drafter: Lawrence D. Foreman

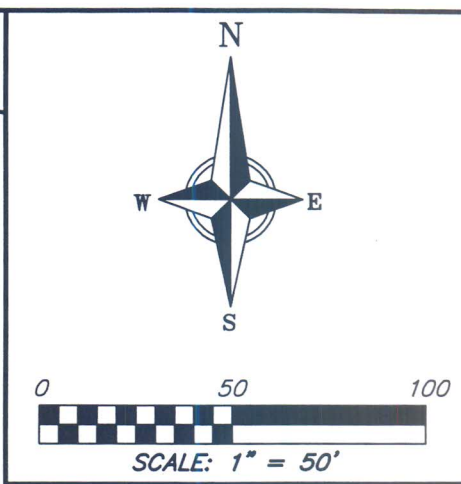
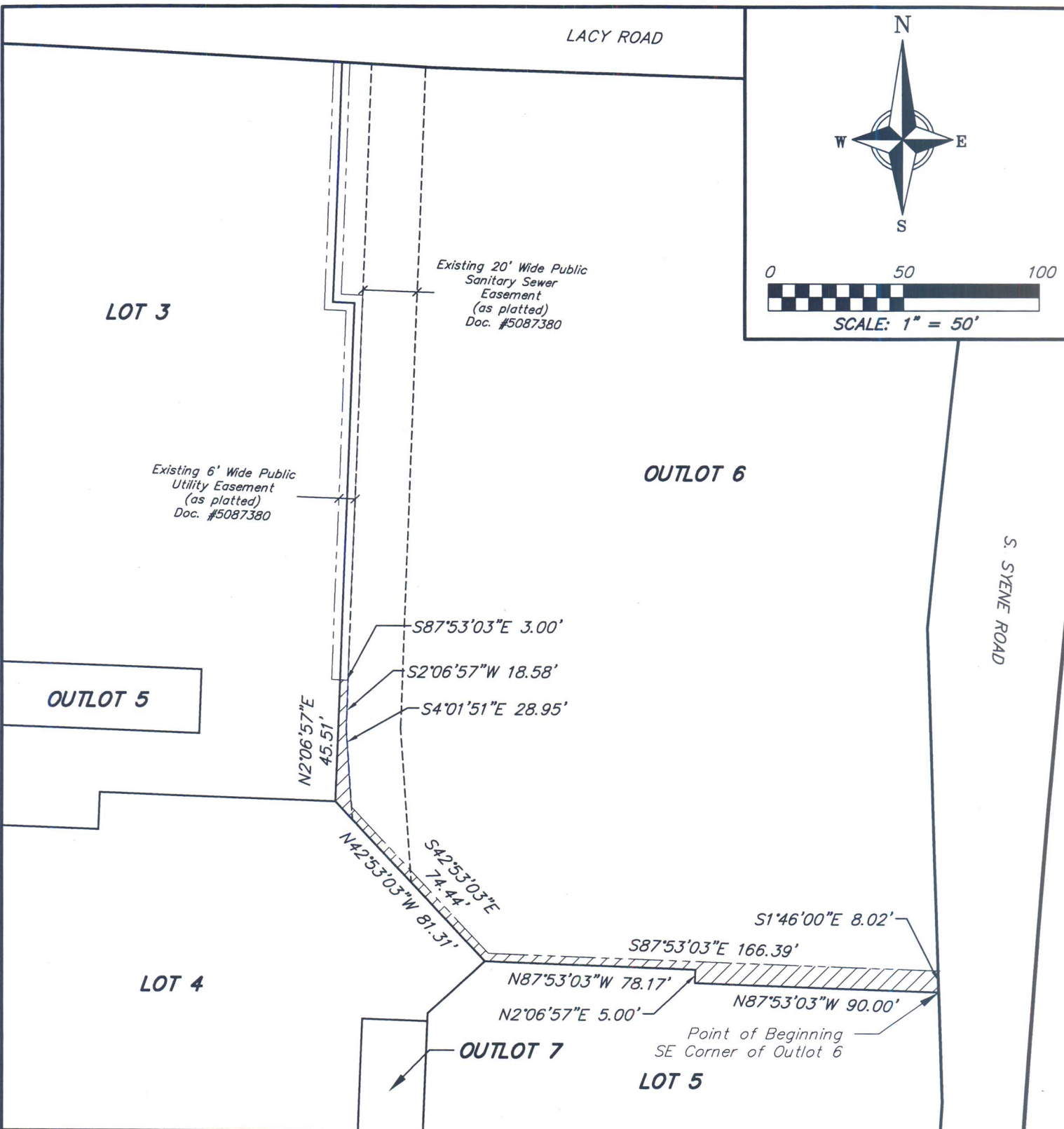
Notary Public
State of Wisconsin
My commission expires _____

EXHIBIT A

DESCRIPTION

A varying width public utility easement to Madison Gas and Electric (MG&E) over, under, and across part of Outlot 6, North Park Fitchburg, as recorded in Volume 60-030A of Plats, on Pages 154-156, as Document Number 5087380, Dane County Registry, located in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 14, in Township 06 North, Range 09 East, in the City of Fitchburg, Dane County, Wisconsin, more fully described as follows:

Beginning at the Southeast corner of said Outlot 6; thence N87°53'03" W along the southerly line of said Outlot 6, 90.00 feet; thence N02°06'57"E along the southerly line of said Outlot 6, 5.00 feet; thence N87°53'03"W along the southerly line of said Outlot 6, 78.17 feet; thence N42°53'03"W along the southwesterly line of said Outlot 6, 81.31 feet to a southwesterly corner of said Outlot 6; thence N02°06'57"E along the westerly line of said Outlot 6, 45.51 feet to a point of intersection with the southerly line of an existing six foot (6') wide public utility easement as platted on said North Park Fitchburg; thence S87°53'03"E along said southerly easement line, 3.00 feet to the westerly line of an existing 20' wide public sanitary sewer easement as platted on said North Park Fitchburg; thence S02°06'57"W along the westerly line of said easement, 18.58 feet; thence S04°01'51"E along the westerly line of said easement, 28.95 feet; thence S42°53'03"E, 74.44 feet; thence S87°53'03"E, 166.39 feet to the easterly line of said Outlot 6; thence S01°46'00"E along said easterly line of Outlot 6, 8.02 feet to the Point of Beginning.



PROPOSED PUBLIC UTILITY
EASEMENT

05 Jan 2015 - 4:41p M:\Little Creek Construction\130277_Fitchburg\Surveying\130277_Utility Easement Exhibit.dwg by: csha

vierbicher
planners | engineers | advisors



REEDSBURG - MADISON - PRAIRIE DU CHIEN
999 Fourier Drive, Suite 201 Madison, Wisconsin 53717
Phone: (608) 826-0532 Fax: (608) 826-0530

EXHIBIT B

SCALE	1"=50'	SHEET
CHECKED	MMAR	
DRAFTER	CSHA	
DATE	1/02/2015	
JOB NO.	130277	

Shawn Pfaff
Introduced by

Public Works
Drafted by

Board of Public Works & Planning
Committee

February 10, 2015
Date

RESOLUTION R-12-15

A RESOLUTION ACCEPTING A UNDERGROUND ELECTRIC - GAS MAIN RIGHT-OF-WAY GRANT ON OUTLOT 6 IN THE PLAT OF NORTH PARK, CITY OF FITCHBURG, WISCONSIN

WHEREAS, the developer of the North Park plat has put together a comprehensive development for this plat; and

WHEREAS, easements provided on the plat were not wide enough to accommodate installation of electric, gas, telephone and cable in the same location; and

WHEREAS, the developer has requested additional easement area on Outlot 6 to accommodate these installations; and

WHEREAS, the utilities within this additional easement area on Outlot 6 will service Lots 3 through 5 within the plat.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Common Council of the City of Fitchburg that it approves the underground electric – gas main right-of-way grant on Outlot 6 in the North Park plat.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to sign the necessary documents for the recording of the easement.

Adopted by the Common Council of the City of Fitchburg this ____day of _____, 2015.

Approved By: _____
Shawn Pfaff, Mayor

Attested By: _____
Patti Anderson, City Clerk

City of Fitchburg

Committee or Commission Referral

Direct Referral Initiated by:
Direct Referral Approved by:

Date Referred: **February 10, 2015** Ordinance Number:
Date to Report Back: **February 24, 2015** Resolution Number: R-13-15

Sponsored by: Mayor Drafted by: Public Works

TITLE: A RESOLUTION ACCEPTING AN AGREEMENT OF EASEMENT FOR PUBLIC PEDESTRIAN/BIKE PATH ON LOT 24 IN THE PLAT OF TECHLANDS, CITY OF FITCHBURG, WISCONSIN

Background:

The McGaw Neighborhood Plan includes a bike path to be installed along the south property line of Lot 24 in TechLands. The TechLands plat includes a public bike path and pedestrian easement for this bike path. In order to save the oak trees on Lot 24, the bike path needed to be moved north. Additional public pedestrian/bike path easement area is needed in order to install and maintain a bike path across this lot in the new location. This bike path will service the plat as well as community.

Order	Referred To	Staff Contact	Place on Agenda For	Action Taken On Referral
1	Board of Public Works	Horton	2/16/15	
2	Planning Commission	Hovel	2/17/15	
3				
4				

Amendments:

AGREEMENT OF EASEMENT
FOR PEDESTRIAN / BIKE PATH

This Agreement of Easement for Pedestrian/Bike Path (the “Agreement”) is granted this ____ day of _____, 2015, by Promega Corporation (the “Owner”) to the CITY OF FITCHBURG, a municipal corporation (the “City”).

R E C I T A L S:

- A. Owner is the fee holder of certain real property in the City of Fitchburg, County of Dane, State of Wisconsin, as more particularly described in Recital B, below (the “Property”).
- B. The City has requested that Owner grant a permanent Public Pedestrian/Bike Path Easement (the “Easement”) over that portion of Lot 24, TechLands, as recorded in Volume 60-028A of Plats, on Pages 144-145, as Document Number 5083285, Dane County Registry, located in the SE 1/4 of the NW 1/4 of Section, 15, Township 06 North , Range 09 East, City of Fitchburg, Dane County Wisconsin, more fully described as follows (the “Easement Area”)::

The northern 25 feet of the southern 45 feet of said Lot 24.

AGREEMENT:

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. Assignment. Owner hereby grants the City, its successors, and assigns, the perpetual right and easement to construct, maintain and operate a path for use by the public upon, across and through the Easement Area.
2. Maintenance. The City shall maintain the path installed within the Easement in good condition and repair. The City shall have the right to enter the Easement Area to perform such maintenance, repair or replacement on such surface improvements.
3. Consistent Uses Allowed. The Owner reserves the right to use the Property for purposes that will not interfere with the City’s full enjoyment of the easement rights granted hereby.
4. Covenants Run with Land. All of the terms, conditions, covenants and other provisions contained in this Agreement, including the benefits and burdens, shall run with the land

Recording Area

Return to:

City Clerk
City of Fitchburg
5520 Lacy Road
Fitchburg, WI 53711

Parcel Number:

225/0609-152-6754-2

and shall be binding upon and inure to the benefit of and be enforceable by the Owner of the City and their respective successors and assigns. The party named as "Owner" herein and any successor or assign to the Owner as fee simple owner of the Property shall cease to have any liability under this Agreement with respect to facts or circumstances arising after such party has transferred its fee simple interest in the Property.

5. Governing Law. This Agreement shall be construed and enforced in accordance with the internal laws of the State of Wisconsin.
6. Invalidity. If any term, covenant, or condition of this Agreement or the application thereof to any person or circumstance shall be deemed invalid or unenforceable, the remainder of this Agreement, or the application of such term, covenant or condition to persons or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each term, covenant and condition shall be valid and enforceable to the fullest extent permitted by law.
7. Binding. This easement shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their heirs, successors, assigns and legal representatives.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

By: _____

Name: _____

Title: _____

CITY OF FITCHBURG ("City")

By: _____

Name: _____

Title: _____

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

Personally came before me this ____ day of _____, 2015, the above named _____, who acknowledged himself/herself to be the _____ of _____, and to me known to be the person who executed the foregoing instrument as the _____ of such company by its authority, and acknowledged the same.

Name: _____

Printed Name: _____

Notary Public, State of Wisconsin
My Commission: _____

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

Personally came before me this ____ day of _____, 2015, the above named _____, who acknowledged himself/herself to be the _____ of the City of Fitchburg, and to me known to be the person who executed the foregoing instrument as the _____ of such city by its authority, and acknowledged the same.

Name: _____

Printed Name: _____

Notary Public, State of Wisconsin
My Commission: _____

This documents is authorized by Resolution R-__-15 adopted on _____,2015.
This document was drafted by Department of Public Works, City of Fitchburg.

EXHIBIT A

PUBLIC BIKE PATH AND PEDESTRIAN EASEMENT

THE NORTH 25 FEET OF THE SOUTH 45 FEET OF LOT 24, TECHLANDS, RECORDED AS DOC NO. 5083285, DANE COUNTY REGISTRY. LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15, TOWN 06 NORTH, RANGE 09 EAST, CITY OF FITCHBURG, DANE COUNTY, WISCONSIN.



SCALE : ONE INCH = ONE HUNDRED FIFTY FEET

N O B E L
D R I V E

GRID NORTH

BEARINGS ARE REFERENCED TO THE
SOUTH LINE OF LOT 24, PROPOSED
PLAT OF TECHLANDS

L O T 2 4

T E C H L A N D S

M I C A
R O A D

PROPOSED 25' WIDE PUBLIC BIKE
PATH AND PEDESTRIAN EASEMENT

EXISTING 20' WIDE PUBLIC BIKE
PATH AND PEDESTRIAN EASEMENT

PREPARED FOR:

Promega Corporation
2800 Woods Hollow Road
Fitchburg, WI 53711

PREPARED BY :

Burse

surveying & engineering Inc.

1400 E. Washington Ave, Suite 158
Madison, WI 53703 608.250.9263

Fax: 608.250.9266

email: Mburse@BSE-INC.net

www.bursesurveyengr.com

PAGE 4 OF 4

Date: DEC 9, 2014

Plot View: EASE

\\PROJECTS\\BSE1714\\DWG\\BSE1714.DWG

Shawn Pfaff
Introduced by

Public Works
Drafted by

Board of Public Works & Planning
Committee

February 10, 2015
Date

RESOLUTION R-13-15

A RESOLUTION ACCEPTING AN AGREEMENT OF EASEMENT FOR PUBLIC PEDESTRIAN/BIKE PATH ON LOT 24 IN THE PLAT OF TECHLANDS, CITY OF FITCHBURG, WISCONSIN

WHEREAS, the developer the TechLands plat has put together a comprehensive development for this plat; and

WHEREAS, in conformance with the McGaw Neighborhood Plan a pedestrian/bike path is required along the south property line of Lot 24 in the TechLands plat; and

WHEREAS, a pedestrian/bike path easement was provided on the plat along the south property line of said lot; and

WHEREAS, additional easement area is needed in order to save the oak trees along the south property line of said lot; and

WHEREAS, the owner of Lot 24 has agreed to enter into an agreement of easement for pedestrian/bike path on Lot 24.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Common Council of the City of Fitchburg that it approves the agreement of easement for public pedestrian/bike path on Lot 24 in the TechLands plat.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to sign the necessary documents for the recording of the easement.

Adopted by the Common Council of the City of Fitchburg this ____day of February, 2015.

Approved By: _____
Shawn Pfaff, Mayor

Attested By: _____
Patti Anderson, City Clerk

City of Fitchburg

Committee or Commission Referral

Direct Referral Initiated by: Mayor Shawn Pfaff
Direct Referral Approved by: Mayor Shawn Pfaff

Date Referred: **February 24, 2015** Ordinance Number:
Date to Report Back: **February 24, 2015** Resolution Number: **R-15-15**

Sponsored by: Mayor Drafted by: Public Works

**TITLE: APPROVING FIRST AMENDMENT TO AGREEMENT FOR
SUBDIVISION IMPROVEMENTS IN THE PLAT OF NINE SPRINGS**

Background: Due to the unknown relationship of future public improvements to the remaining uninstalled public improvements in the Nine Springs plat, the subdivider is requesting an extension for installation of the remaining uninstalled public improvements. Remaining public improvements will be installed as building construction progresses or outlots are re-divided.

Order	Referred To	Staff Contact	Place on Agenda For	Action Taken On Referral
1	Board of Public Works	Horton	2/16/15	
2	Planning Commission	Hovel	2/17/15	
3	Finance	Roach	2/24/15	
4	Council (Direct Referral)	Pfaff	2/24/15	

Amendments:

**FIRST AMENDMENT
TO THE AGREEMENT FOR SUBDIVISION
IMPROVEMENTS IN THE
PLAT OF NINE SPRINGS**

This First Amendment, here in referred to as "Amendment", executed in two (2) or more originals, is entered into as of this _____ day of _____, 2015, by and between Green Tech Land Company, LLC, hereinafter referred to as "Subdivider", and the City of Fitchburg, a Wisconsin municipal corporation, hereinafter referred to as the "City".

WITNESSETH

WHEREAS, the Subdivider and the City entered into an Agreement for Subdivision Improvements in the Plat of Nine Springs, dated May 11, 2012, recorded as Document No. 4872855, herein referred to as "Agreement"; and

WHEREAS, the Agreement requires the bike paths to be completed in accordance with the schedule attached as Exhibit 2 in the Agreement; the public sanitary sewers and sidewalks to be installed within 18 months of recording of the Plat, and the street trees to be planted within 18 months of commencement of construction; and

WHEREAS, the Subdivider desires to modify the schedule for installation of path improvements within Outlot 13, in or near Outlot 16 from Lacy Road to East Cheryl Parkway, and in or near Outlot 6 from East Cheryl Parkway to north Plat boundary, to extend the completion date for the construction of public sanitary sewer to service Lots 1 through 4, and to extend the completion date for public street tree plantings and sidewalk installations on Central Park Place, Greenmarket Place, Golden Gate Pass, and East Cheryl Parkway, east of Lacy Road, to follow the building construction work that is adjacent to these improvements; and

WHEREAS, Chapter 24 of the General Code of Ordinances allows the developer to prepare a staging plan, for approval by the Plan Commission, for public improvements that will not be completed

Recording Area

Return to:

City Clerk
City of Fitchburg
5520 Lacy Road
Fitchburg, WI 53711

Parcel Number:

225/0609-111-5050-2, 225/0609-111-5075-2,
225/0609-111-7512-2, 225-0609-111-7523-2,
225-0609-111-7534-2, 225/0609-111-7575-2,
225/0609-111-7600-2, 225-0609-114-0105-2,
225/0609-114-0116-2, 225/0609-114-0150-2,
225/0609-114-0175-2, 225/0609-114-0200-2,
225/0609-114-3050-2, 225/0609-114-3704-2,
225/0609-114-3715-2, 225/0609-114-3726-2,
225/0609-114-3737-2, 225/0609-114-3750-2,
225/0609-114-3775-2, 225/0609-114-4025-2,
225/0609-114-6000-2, 225/0609-122-5001-2,
225/0609-123-2537-2, 225-0609-123-2548-2

within 18 months of recording of the Plat, which the Plan Commission approved on February 21, 2012.

NOW, THEREFORE, in consideration of the above recitals, which are incorporated by reference, the mutual covenants hereinafter set forth, the parties hereby mutually agree Exhibit 2 of the Agreement is hereby removed of its entirety and Sections 1.03, 1.10, and 2.01 of the Agreement are hereby amended to be as follows:

1.03 Pathways

- (1) Subdivider shall within 18 months of the recording of the Plat, unless provided otherwise below, install 10 foot wide paths, including drainage crossways at locations in accordance with the civic space amenities, parkland agreement, or by the SmartCode Article 3 Regulating Plan for lands, within the Plat. The following pathways shall be completed in accordance with the *Schedule for Constructing in Pathways* below:
 - (A) The Subdivider shall install and have accepted a 10' wide recreation path within Outlot 13 prior to the acceptance of any future public improvements necessary to re-divide Outlot 12.
 - (B) The Subdivider shall install and have accepted a 10' wide recreation path in or near Outlot 16 from Lacy Road to East Cheryl Parkway prior to the occupancy of any buildings on Outlot 17 (Lots 14 through 17 and Outlot 22 in the Second Addition to Nine Springs Plat).
 - (C) The Subdivider shall install and have accepted a 10' wide recreation path in or near Outlot 6 from East Cheryl Parkway north to the Plat boundary prior to acceptance of any future public improvements necessary to re-divide Outlot 7.
 - (D) The Subdivider shall install and have accepted 10' wide recreational trails connecting to Outlot 13 from Greenmarket Place and Outlot 11 at the time Outlot 12 is re-divided and lots adjoining these connections are created. A number of intended connections are shown in the approved SmartCode Article 3 Regulating Plan. Timing outlined in this section is not subject to timing laid out in Section 2.01(2).

- (E) Passage connections as shown in the approved SmartCode Article 3 Regulating Plan shall be constructed as the respective outlots in which they are located are re-divided, and adjoining lots created. Timing outlined in this section is not subject to timing laid out in Section 2.01(2).

1.10 Street Trees

- (1) The City Engineer shall provide the Subdivider with the opportunity to install street trees along all public streets at Developer's cost (street trees along Lacy Road and East Cheryl, west of Lacy Road, subject to reimbursement as a Nine Springs Public Improvement under the Development Agreement between the Developer and City signed May 31 and June 1, 2011), provided that type, specification, and quality of all trees and tree installation specifications be subject to approval by the City Forester. All street trees adjacent to Central Park Place, Greenmarket Place, Golden Gate Pass, and East Cheryl Parkway, east of Lacy Road, shall be installed prior to occupancy of any buildings on Lots 1-7.

2.01 Public Improvements Installation Deadline.

- (1) Subdivider shall commence and complete installation of required public improvements in the Plat within 18 months of the recording of the Plat with the following exceptions:
 - (A) That portion of Central Park Place north of Lacy Road within the Plat shall be completed within the earlier of (a) 12 months after Plats are recorded covering both the Holmes and T.Wall properties as described in Exhibit 1 in the Agreement, or (b) within 12 months after the conveyance by Subdivider to any other party of title to any portion of Outlot 7 or Outlot 9 (excepting, however, Block 15 of the SmartCode Article 3 Regulating Plan in Outlot 7). Other than that portion of Outlot 7 described above, Outlots 5, 7, 8, and 9 shall remain in common ownership until Central Park Place north is constructed and dedicated to the City.

- (B) The remaining five foot wide public sidewalks on Central Park Place, Greenmarket Place, Golden Gate Pass and East Cheryl Parkway, east of Lacy Road, shall be installed and accepted prior to occupancy of buildings on adjacent lots. Timing outlined in this section is not subject to timing laid out in Section 2.01(2).
 - (C) Bike paths shall be completed as outlined in Section 1.03 and 2.01(2).
 - (D) Public sanitary sewer to service Lots 1 through 4 shall be installed and accepted in the 20' public sanitary sewer easement between Central Park Place and Golden Gate Pass prior to issuance of any building permit(s) for Lots 1 through 4 and per Section 2.01(2).
 - (E) Street trees shall be completed as outlined in Section 1.10 and 2.01(2).
- (2) Regardless of the timelines provided in Section 1.03, and 1.10, remaining bike paths (excluding 1.03(1)(D) and 1.03(1)(E)), and street trees shall be installed, and accepted, within 60 months of the recording of this Amendment. At the time of entering into this Amendment, Subdivider shall post a separate security (see section 5 of the May 11, 2012 agreement for type of security) acceptable to the City Engineer for the sidewalks, bike paths, sanitary sewers, and street trees to be accepted after 2014, with such security at a level that is equal to or greater than 115% of the cost of construction of such sidewalks, bike paths, street trees, and sanitary sewers. Said security shall be increased annually on or before the recording date anniversary of this Amendment at a rate equal to the percentage change in the Engineering News Record Construction Cost Index 20-City Average for the July of the previous year. Said security will be released as outlined in Section 5 of the Agreement.
- (3) **Land Conveyance.** No lot or future buildable outlot may be conveyed until public improvements as outlined in the Agreement and this Amendment have been installed and accepted by the City or a letter of credit or surety identified in Section 5 has been posted with the City Engineer for 115% of the costs of all public improvements for the lot being conveyed. No building

permits can be issued for any lot in the Plat until
public improvements have been installed and accepted.

BE IT FURTHER, notwithstanding anything to the contrary, except as specifically amended by this agreement, all terms of the original Agreement for Subdivision Improvements in the Plat of Nine Springs dated May 11, 2012 shall remain in full force and effect.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this
____ day of _____, 2015.

By: _____
Shawn Pfaff, Mayor

By: _____
Patti Anderson, City Clerk

Approved As To Form:

By: _____
Mark Sewell, City Attorney

STATE OF WISCONSIN)ss.
COUNTY OF DANE)

Personally came before me this ____ day of _____, 2015,
the above named Shawn Pfaff and Patti Anderson, to me known to be
the Mayor and City Clerk of the City of Fitchburg and the persons
who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin
Printed Name of Notary: _____
My Commission Expires: _____

SUBDIVIDER(S): _____
Company Name

By: _____
President

Address

By: _____
Secretary

City, State, Zip

STATE OF WISCONSIN)ss.
COUNTY OF DANE

Personally came before me this ____ day of _____, 2015, the
above named _____ to me known to be the
_____ of _____ and
the persons who executed the foregoing instrument and acknowledged
the same.

Notary Public, State of Wisconsin
Printed Name of Notary: _____
My Commission Expires: _____

Drafted by: Tracy Foss, Utility Project Engineer, City of
Fitchburg

**AGREEMENT FOR
SUBDIVISION IMPROVEMENTS
IN THE PLAT OF NINE SPRINGS**

City of Fitchburg, Dane County
Wisconsin

This Agreement, executed in two (2) or more originals, is entered into as of this 11 day of MAY, 2012, by and between Green Tech Land Company, LLC, hereinafter referred to as "Subdivider," and the City of Fitchburg, a Wisconsin municipal corporation, hereinafter referred to as the "City":

Location Map: See Exhibit 1

Legal Description: See Exhibit 4

WITNESSETH

WHEREAS, the Subdivider desires City approval of a final plat identified as Nine Springs, hereinafter referred to as "Plat," in order that it may be recorded and improvements installed and lots developed and sold; and

WHEREAS, Chapter 24 (Land Division) of the General Code of Ordinances of the City of Fitchburg, hereinafter referred to as the "Ordinance," requires, among other things, that as a condition of plat approval Subdivider agree to make and install all necessary public improvements, including, but not limited to, sanitary sewers, water mains, storm sewers, lot stakes and standard street improvements and that said improvements be constructed by the Subdivider to City standards and dedicated to the City without cost to the City; and

WHEREAS, the Ordinance requires that as a condition of plat approval adequate public sites, open spaces, park and recreation areas with suitable street frontage be improved and dedicated to the City or that certain fees be paid to the City in lieu of such improvements and dedication; and



8 3 9 1 2 0 2
Tx:8236548

**KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS**

DOCUMENT #

4872855

05/17/2012 2:15 PM

Trans. Fee:

Exempt #:

Rec. Fee: 30.00

Pages: 25

Recording Area

Return to:

City Clerk

City of Fitchburg

5520 Lacy Road

Fitchburg, WI 53711

Parcel Numbers: See Exhibit 4

*

WHEREAS, the land area is subject to form-based zoning under Chapter 23 (hereafter SmartCode District), under which certain public improvements are further requested.

WHEREAS, the City and Subdivider have previously entered into an agreement signed May 31 and June 1, 2011 ("TID Agreement") for construction of Lacy and East Cheryl Roads, which are to be constructed with the financial assistance of the City as set forth in the TID Agreement.

NOW, THEREFORE, in consideration of the above recitals, which are incorporated by reference, the mutual covenants hereinafter set forth, the approval of the Plat by the City, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby mutually agree:

Section 1

Required Improvements

1.01 Street Improvements

(1) Standard Improvements, Curb and Gutter, Bituminous Pavement

- (A) The Subdivider shall install and dedicate, without cost except as provided in the TID Agreement to the City, except as hereinafter provided, and in accordance with the schedule set forth in Section 2.01 of this Agreement, street improvements in accord with the SmartCode District and the Regulating Plan including concrete curb and gutter, crushed stone base, bituminous binder course and bituminous surface course, on all streets in the Plat in accordance with the provisions of Sections 24-8 and 24-9 of the Ordinance.
- (B) The improvements required by this Section but not required by the TID Agreement (i.e., the south segment of Central Park Place, the east segment of Greenmarket Place, and Golden Gate Pass, and any site grading on these three streets or on private property) shall be installed by the Subdivider pursuant to private contract. As required by Section 24-10 of the Ordinance the Subdivider shall submit the designs, specifications and bids for such improvements to the City Engineer. The City Engineer shall have fifteen (15) days to review the designs, specifications and bids. If in the opinion of the City Engineer, the designs,

specifications and/or bids received by the Subdivider for the installation of such improvements do not meet City standards as defined in the Ordinance, the City shall have the right to request revisions or rebidding.

- (C) The improvements required by the TID Agreement shall be publicly bid and shall be subject to prevailing wage. The contracts for improvements shall be between the Subdivider and the contractor but all bids shall be reviewed and approved by the City pursuant to Wis. Stats. 62.15. The City understands that the Subdivider may desire to use a general contractor to manage the project.
 - (D) All street work required by Section 1.01(1)(B) shall be completed, inspected and approved by the City Engineer prior to acceptance by the City for public use.
 - (E) The first layer of asphalt paving shall be completed by October 31 of the year the improvements are to be accepted. NO paving will be allowed from October 31 to May 1. The final layer of asphalt shall be completed by no later than September 15 of the year after the initial layer of asphalt.
- (2) **Barricades.** The Subdivider shall furnish, install and maintain barricades and signs at all points where new right-of-ways extend to or from, or intersect with existing right-of-ways, at all street ends, and at such other places as the City Engineer may direct. All such barricades and signs shall conform to the Madison Traffic Controls for Street Construction and Maintenance Operations Manual.
- (3) **Street Lights.** The Subdivider shall pay for, and install at the Subdivider's expense, street lights and poles, to City specifications at the locations specified by the City Engineer. Lights and poles, make and type shall be supplied by the City. The lights and poles to be used shall be of a type allowed for the appropriate transect zone under the approved Regulating Plan as allowed by table 6 SmartCode District. The Subdivider shall coordinate installation of street lights with Madison Gas & Electric. The Subdivider shall be responsible for all Madison Gas & Electric costs.

- (4) **Signage Reimbursement.** Subdivider shall reimburse City for street and crosswalk signage and markings.

1.02 Sidewalks and Driveways

- (1) Subdivider shall install sidewalks to City specifications as required under the approved Regulating Plan.

1.03 Pathways

- (1) Subdivider shall within 18 months of the recording of the plat install 10 foot wide pathways including drainage crossways at locations in accordance with the civic space amenities, parkland agreement, or by the Regulating Plan for land within this plat. The pathways shall be completed in accordance with the schedule attached as Exhibit 2.

1.04 Sanitary Sewers

- (1) Subdivider shall submit to the City Engineer, Wisconsin Department of Natural Resources, Dane County Department of Planning and Development - Community Analysis and Planning Division and Madison Metropolitan Sewerage District, if required, for review and approval, plans and specifications for sanitary sewers, complete with laterals and appurtenances thereto in accordance with the Ordinance and Section 40-627 of the City's General Code of Ordinances.
- (2) After all required approvals have been obtained, the Subdivider shall, without cost to the City except as provided in the TID Agreement, and in accordance with the Schedule set forth in Section 2.01 of this Agreement, construct and install sanitary sewers throughout the Plat, complete with laterals and appurtenances, constructed in accordance with the approved plans and specifications.
- (3) Subdivider shall pay any Madison Metropolitan Sewerage District charges or assessments against lots within the Plat as and when they become due.
 - (A) Subdivider shall pay Syene Sanitary Sewer Interceptor fees to City of Fitchburg Utility District No. 1 prior to commencing any construction

in the plat or within 30 days of notice of the final fee calculation amount, whichever comes later.

- (4) Subdivider shall be responsible for extending sanitary sewer to the plat limits.
- (5) All existing septic systems within the plat shall be properly abandoned in accordance with the State of Wisconsin standards.
- (6) Easements for sewer mains within the Plat shall be dedicated to the City by the Subdivider. Easements for sewer mains not located in right-of-ways shall have a minimum width of 20 feet.

1.05 Water Improvements

(1) Water Mains, Laterals and Appurtenances

- (A) Subdivider shall submit to the City Engineer and, if required, to Wisconsin DNR for approval, plans and specifications for water mains, complete with laterals and appurtenances, thereto in accordance with the Ordinance and Section 40-275 and 40-276 of the City's General Code of Ordinances.
- (B) After all required approvals have been obtained, Subdivider shall, without cost to the City except as provided in the TID Agreement and in accordance with the schedule set forth in Section 2.01 of this Agreement, construct water mains throughout and to serve the Plat, complete with laterals and appurtenances thereto, in accordance with the approved plans and specifications.
- (C) Water mains shall be looped or connected to existing mains as required to service Plat.
- (D) Easements for water mains within the Plat shall be dedicated to the City by the Subdivider. Easements for water mains not located in rights-of-way shall have a minimum width of 20 feet.
- (E) At the City's request, Subdivider shall install 12" water mains in Lacy Road, East Cheryl Parkway and future Nine Bark extension and 16" water main along the east edge of Outlot 7. The City Utility rather

than TID 4 shall reimburse the Subdivider for incremental material cost difference between the 10" pipe called for in the TID Agreement and the larger diameter pipe requested by the City.

- (2) **Abandonment of Wells.** All existing private wells within the plat shall be properly abandoned in accordance with DNR standards. Wells may remain in service if well operation permit is obtained from Fitchburg Utility District No. 1.

1.06 Storm Sewers and Drainage Facilities

- (1) **Plans Submitted to City Engineer.** The Subdivider shall submit to the City Engineer for review and approval, plans and specifications for storm sewers and appurtenances and storm water drainage facilities, including drainage ways and greenways in the Plat as required by the Plan Commission under Section 24-9 of the Ordinance. Plans shall indicate, at a minimum, storm sewer locations, inlets, phased construction, rip-rapping into and out of basins, outlet design and type, and computations of inflow-outflow capacity. Water quality basins shall be constructed in Outlot 11 in accord with plans approved by the City Engineer.
- (2) **Installation.** Subdivider shall install storm sewers complete with appurtenances thereto throughout the Plat without cost to the City in accordance with approved plans and specifications and the schedule set forth in Section 2.01 of this Agreement.
- (3) **Stormwater Improvements.** Subdivider shall be responsible for obtaining positive drainage of stormwater within the Plat, including the reservation and improvement of the necessary drainage easements or retention/detention facilities to handle drainage from the Plat.
 - (A) Stormwater facilities located on land dedicated to the public shall receive administrative approval of their design and location in accord with section 3.5.3b of the SmartCode District.
 - (B) Since the Subdivider is currently proposing to meet the 90% of predevelopment runoff infiltration volume (post-development stay-on volume must be equal to or greater than 90 percent of the pre-development stay-on volume, based upon average annual rainfall conditions) and oil/grease

requirements on a lot by lot basis instead of regionally, the Subdivider will need to record these requirements on the final plat and provide appropriate information to the lot buyers on the best management practices that will need to be provided. A draft of the final plat shall be forwarded to the Capital Area Regional Planning Commission prior to recording to verify that the language meets the Urban Service Area Amendment Resolution.

- (C) The Subdivider shall provide vegetation management of the public and private stormwater facilities by a city-approved contractor for a minimum of 3 years beyond the date of substantial completion.

1.07 Grading

- (1) Subdivider shall submit to the City Engineer for review and approval, grading plans and specifications to provide positive drainage of the Plat.
- (2) After approval of the plans and specifications by the City Engineer, Subdivider shall, without cost to the City except as provided in the TID Agreement and in accordance with the schedule set forth in Section 2.01 of this Agreement, grade the Plat in accordance with the approved plans and specifications.

1.08 Erosion Control

- (1) Subdivider shall submit an application for storm water and erosion control in the plat to the City Engineer pursuant to Chapter 30 of the City's General Code of Ordinances for review and issuance of a permit. No work shall commence until such permit is issued.
- (2) After the City Engineer has issued a permit and before any land surface disturbances are made in the Plat, Subdivider shall, without cost to the City except as provided in the TID Agreement, provide all erosion control measures in accordance with the approved plans and specifications.
- (3) Temporary basins, stone weepers, sediment netting, and similar erosion control devices shall be installed by Subdivider during construction as directed by the City Engineer. All temporary devices shall be maintained by the Subdivider.

- (4) Before constructing any temporary device, the Subdivider shall file plans with the City Engineer for approval. No erosion control facility shall be constructed by the Subdivider unless approved by the City Engineer.
- (5) If the method of erosion control fails, the Subdivider shall clean up the materials which have been displaced and repair or replace the method of control which has failed prior to construction of additional improvements to the Plat.
- (6) All areas of the Plat shall be deep tilled and then properly and promptly seeded and mulched (or returned to agricultural use) upon completion of the necessary grading.

1.09 Electric, Communications and Gas Facilities

- (1) Prior to commencing construction of any required electric, gas or communication utilities, the Subdivider shall submit the construction schedule therefor to the City Engineer for review and approval and shall furnish proof that such arrangements as may be required under applicable rates and rules filed with the Wisconsin Public Service Commission have been made with the owner or owners of the utility lines or services for placing their respective facilities underground.
- (2) All new electric distribution lines (excluding lines of 14,400 volts or more), all new telephone lines from which lots are individually served, all new communication lines, television cables and service installed within the Plat shall be underground unless a waiver is obtained from the City Plan Commission in accordance with Section 24-10(e) of the Ordinance.
- (3) Associated equipment and facilities which are appurtenant to underground electric and communications systems, such as but not limited to, substations, pad-mounted transformers, pad-mounted sectionalizing switches and above-grade pedestal-mounted terminal boxes, may be located above ground, but only in designated utility easement areas as identified on the final plat.
- (4) Where the electric and communications facilities are to be installed underground, the utility easements shall be graded to within six (6) inches of final grade by the Subdivider, prior to the installation of such

facilities, and earth fill, piles or mounds of dirt shall not be stored on such easement areas. Utility facilities when installed on utility easements whether overhead or underground shall not disturb any monumentation in the Plat. Subdivider shall record a Plat restriction prohibiting disturbance of finished grade of utility easements by more than six (6) inches without consent of City Engineer and Utilities.

- (5) All underground utilities in street right-of-way shall be installed prior to construction of street improvements. Provision must be made for mechanical compaction of all underground utility ditches or trenches situated within a street right-of-way or within a dedicated outlot.
- (6) All utility easement pads identified on the final plan shall have screening planted as approved by the City Engineer.

1.10 Street Tree Planting

The City Engineer shall provide the Developer with the opportunity to install street trees along all public streets at Developer's cost (subject to reimbursement as a Nine Springs Public Improvement under the Development Agreement between Developer and the City signed May 31 and June 1, 2011), provided that all such trees shall be subject to approval by the City Forester for quality, type and specifications, and provided further, that all trees must be planted within 18 months of commencement of construction.

Section 2

Construction Schedule

2.01 Public Improvements Installation Deadline. Subdivider shall commence and complete installation of required public improvements in the Plat within 18 months of the recording of the Plat except that the portion of Central Park Place north of Lacy Road within the Plat shall be completed by 12 months after Plats are recorded covering both the Holmes and T. Wall

properties as described in Exhibit 1, or (b) within 12 months after the conveyance by Developer to any other party of title to any portion of Outlot 7 or Outlot 5 (excepting, however, that portion of Outlot 5 bounded by East Cheryl Parkway, Lacy Road, Balboa Street and Stanley Park Place). Other than that portion of Outlot 5 described above, Outlots 5, 6 and 7 shall remain in common ownership until Central Park Place north is constructed and dedicated to the City.

- (2) **Contractor Acknowledgment.** The following notation shall be included in the Agreement section of the Contract Documents: The contractor acknowledges by signing this agreement that NO paving shall occur after October 31. The public improvements for this plat will not be accepted unless all the improvements are in and accepted by the City. No building permits will be issued until this acceptance. The final layer of asphalt will be placed by no later than September 15 of the year following the first layer of asphalt. Final layer of asphalt may be placed after September 15th of the same year the first layer is installed if approved in writing by City Engineer.
- (3) **Land Conveyance.** No lot or future buildable outlot may be conveyed until public improvements as outlined in this agreement have been installed and accepted by the City or a letter of credit or surety identified in Section 5 has been posted with the City Engineer for 115% of the costs of public improvements for the lot being conveyed. No building permits can be issued for any lot in the Plat until the public improvements have been accepted.

2.02 Commencement of Construction

Subdivider shall not commence construction of the required improvements for any phase of the Plat prior to the time that:

- (1) Copies of all contracts for the construction and installation of the required improvements have been filed with the City Engineer.
- (2) A proposed construction schedule for the required improvements has been submitted to, reviewed, and approved by the City Engineer.

- (3) A copy of this Agreement, duly executed by the Subdivider and the City, has been filed in the office of the City Planner/Zoning Administrator and recorded with the Dane County Register of Deeds.
- (4) The required security described in Section 4 has been approved by the Mayor as to sureties and City Attorney as to form and filed with the City Clerk.
- (5) All required approvals have been obtained with copies sent to the City Engineer.
- (6) All required fees imposed under Sec. 24-15 of the Ordinance have been deposited with the City Zoning Department or City Clerk.

2.03 Construction Submittals and Requirements

Subdivider shall submit to the City the following:

- (1) **Record Drawings.** One set of 24" x 36" Mylar drawings and a digital file of the record drawings shall be submitted to the City within three (3) months of acceptance of the work in accordance with the latest edition of the City of Fitchburg Standard Specifications for Public Works Construction. If record drawings are not submitted within the specified time frame, the City reserves the right to restrict commencement of subsequent project phases and/or assess the Subdivider for actual expenses incurred for creation of such drawings.
- (2) **Plant Value Submissions.** A copy of water main and sanitary sewer final construction costs, broken down per item, shall be submitted to the City by December 15 of the year the water main and sanitary construction is completed.
- (3) **Construction Survey Benchmarks.** A location map with benchmark descriptions and elevations shall be delivered to the City within three (3) months of acceptance of the work. Elevations shall be in English units (feet) utilizing USGS elevations.
- (3) **Property Iron Markers.** All property irons within the development shall be marked with steel fence posts.

Section 3

Recreation, Parkland and Open Space

3.01 Parkland Dedication

With this plat the Subdivider is dedicating 8.54 acres of parkland. Current planned land use allocation based on the 2/16/12 Regulating Plan has lots 1 through 5, and 7 through 9 designated as SD1, and lots 4 through 6 as T5. This allocation results in an estimated park dedication requirement of 3.19 acres. (The SD1 utilizes residential occupying 20% of the area at 12 dwelling units per acre.) This leaves a potential parkland dedication credit of 5.35 acres for future development within the plat. Credit for the estimated 5.35 acres shall be determined and given at the time a replat of outlot(s) occurs within the plat. Dedication amounts are subject to change if land use allocations for lots 1 through 9 are changed.

In addition, section 3.5.3e of Chapter 23 of the Municipal Code, requires a civic space designed and equipped as a playground in accord with table 8g within 1000' of any residential use. Additional dedication may be required to meet this requirement.

3.02 Park Improvements

The Subdivider shall install park facilities and amenities in each civic space (per section 3.5.3i of the SmartCode District) and dedicate to the public in accord with the Park Commission approved facility amenity chart attached as Exhibit 3. All plans and specifications for park facilities or amenities shall be approved by the Parks Director prior to execution of any contract. Subdivider shall furnish and install playground equipment for all required playground locations.

3.03 Park Street Frontage

The Subdivider shall provide street frontage for all civic spaces as shown on the Regulating Plan approved under the SmartCode District.

Section 4

Maintenance of Land Within Plat

4.01 Mowing of Lots

Subdivider shall cause all Subdivider owned lots that are not in use for agricultural purposes to be mowed to height of 6 inches or less at least 3 times a year. Mowing shall occur at the following approximate times: mid-to-late May, July, late August to early September. The City Engineer or Fire Chief may require more frequent mowing if the Engineer or Fire Chief determines a health, safety or sanitary hazard exists which requires more frequent mowing.

Section 5

Security for Performance

5.01 Security To Be Furnished Prior To Start Of Construction

At the time of entering into this Agreement, the Subdivider shall file an acceptable irrevocable letter of credit, a bond, or other certified funds with the City in an amount equal to or exceeding 115% of the approved contract amount for all improvements not required by the TID Agreement or those improvements to be reimbursed by the City pursuant to this Agreement. Upon completion of construction of the required improvements not including those required under the TID Agreement or to be reimbursed by the City pursuant to this Agreement, submittal to the City Engineer of proof of payment to contractors and acceptance of the improvements by the Common Council, the City Engineer may release up to 50% of the security furnished hereunder during the one-year guarantee period as provided in Section 5.03 except with respect to the final asphalt surface layer of streets. If the amount of security is not known at the time of entering into this agreement, then the amount shall be determined in accord with section 24-2(c)(2) of the ordinance. Security for the Plat shall be agreed to and posted prior to commencement of any construction in the Plat.

5.02 Security To Guarantee Payment And Performance

The security furnished pursuant to Section 5.01 of this Agreement, whether for Phase I or subsequent phases of the Plat, shall guarantee that each and every phase of construction will be completed in accordance with the schedule established in Section 2.01 of this Agreement, that the work will comply with the approved plans and specifications, and that all obligations of the Subdivider to the City under this Agreement and to the contractors,

subcontractors, laborers and materialmen will be fully paid and timely met.

5.03 One Year Guarantee of Finished Work

The security furnished pursuant to Section 5.01 shall be held for a period of one (1) year after the required improvements for the applicable phase have been completed and accepted by the City Common Council, unless partially released in accordance with the Ordinance. The security shall be held to guarantee all required improvements against defects in workmanship and materials. If any defects appear during the period of the guarantee, the Subdivider shall, at its expense, install replacements or perform acceptable repairs. In the event that the Subdivider fails to install the required replacements or perform the repairs, the City may do so and deduct the cost thereof from the security. Unless defects have appeared and have not been repaired, the City will release the security to the Subdivider upon expiration of the one (1) year guarantee period; provided the security furnished on completion of the final asphalt layer of streets, including the cost of the work plan, plus 15% shall not be released sooner than one year from the date of the City Engineer's written acknowledgment that the final asphalt layer has been properly accomplished. If any defect is discovered during such one year period, the security furnished plus 15% shall not be released until all required replacements and repairs have been performed and acknowledged by the City Engineer to be in accordance with this Agreement and the Ordinance.

Section 6

Miscellaneous Provisions

6.01 Qualifications of Contractors

Only contractors who submit proposals which meet the plans and specifications previously approved by the City Engineer shall be engaged for the installation and construction of the required improvements.

6.02 Acceptance of Improvements

All public improvements required under Section 1 shall be completed, inspected and approved by the City Engineer, and accepted by the City Council.

6.03 Awarding Of Contracts For Construction

The Subdivider shall not award any contract for the construction of the required improvements until all bids have been submitted to, reviewed and approved by the City Engineer as meeting the requirements of Section 6.01.

6.04 City Engineering, Inspection, Testing, Consulting and Legal Fees and Expenses

Subdivider shall pay all engineering, inspection, testing, trees, consulting and legal fees and expenses incurred by the City arising out of or in any way related to the Plat except as provided in the TID Agreement. Payments shall be made within 45 days of the City's billing date.

6.05 Infrastructure Inventory Updates

Subdivider shall pay for all costs relating to the GIS system and water model for infrastructure data added as a result of this plat.

6.06 Agreement Not Construed as Waiver of Land Division & Other City Ordinances

Except as herein specifically provided, nothing set forth in this Agreement shall be construed as intended to be a waiver or release of any obligations imposed upon the Subdivider by the Ordinance or the City's Code of Ordinances, or Wisconsin Statutes. The Subdivider agrees to abide by all City Ordinances, Wisconsin statutes and other laws affecting the project

6.07 Amendments

The parties may amend this Agreement by express mutual written agreement for any phase of the Plat.

6.08 Breach

In the event of breach of this Agreement, or any part thereof, by either party or their contractors, sureties or agents, the defaulting party agrees to pay all reasonable engineering, inspection, consulting and legal fees or expenses incurred by the non-defaulting party as a result of such default.

6.09 Agreement Benefits and is Binding on Heirs and Assigns of Parties

This Agreement shall benefit, and be binding upon the Subdivider jointly and severally, upon their personal representatives and heirs, and upon the successors and assigns of all parties hereto.

6.10 Assignment Only with Express Written Approval

This Agreement shall not be assigned by any party without express written approval of the other party which shall not be unreasonably withheld.

6.11 Entire Agreement

This Agreement, consisting of fourteen (14) pages and executed in two counterparts, each one of which shall constitute an original for all purposes, and the TID Agreement, contain the entire agreement of the parties and shall not be modified, amended or extended except by express written agreement duly executed by all parties hereto.

6.12 Recording

A fully executed original of this Agreement shall be recorded by the Subdivider and proof of such recording filed with the City Clerk. Upon acceptance by the Common Council of the City of all the improvements described in this Agreement, and upon all conditions precedent to such acceptance being met, and upon the 1 year guarantee period referred to in Section 5.03 having expired, the City agrees to execute, acknowledge and deliver to the Subdivider, in recordable form, a certificate of termination providing that all of the Subdivider's obligations under this contract have been met and that this Contract is hereby terminated.

6.13 General Provisions

- (1) If any part, term, or provision of this Contract is held by the courts to be illegal or otherwise unenforceable, such illegality or unenforceability shall not affect the validity of any other part, term, or provision and the rights of the parties will be construed as if the part, term or provision was never part of the Agreement.
- (2) Nothing contained in this Agreement constitutes a waiver of the City's sovereign immunity under applicable law.

- (3) The Subdivider hereby warrants that Green-Tech Lands, LLC is now lawfully seized and possessed of the real estate to be improved pursuant to this Agreement.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 11th day of May, 2012.

By: Shawn Pfaff
Shawn Pfaff, Mayor

By: Linda J. Cory
Linda J. Cory, City Clerk

Approved As To Form:

By: Mark Sewell
Mark Sewell, City Attorney

STATE OF WISCONSIN) ss.
COUNTY OF DANE)

Personally came before me this 11th day of May, 2012, the above named Shawn Pfaff and Linda J. Cory, to me known to be the Mayor and City Clerk of the City of Fitchburg and the persons who executed the foregoing instrument and acknowledged the same.

Tracy L. Mergen

Notary Public, State of Wisconsin

Printed Name of Notary: Tracy L. Mergen

My Commission Expires: Dec. 2, 2012

SUBDIVIDER(S): GREEN TECH LAND COMPANY, LLC
Company Name

By: 
Scott E. Kelly, Member

120 East Lakeside St.
Address

STATE OF WISCONSIN) ss.
COUNTY OF DANE

Personally came before me this 11th day of May, 2012,
the above named Scott Kelly to me known to be the
Member of GreenTech Land Company, LLC and
the persons who executed the foregoing instrument and acknowledged
the same.



Notary Public, State of Wisconsin

Printed Name of Notary: Jeanne Peterson
My Commission Expires: 05.04.2014

Drafted by: Paul Q. Woodard, Director of Public Works
City of Fitchburg





EXHIBIT 1

MAP

Exhibit 1

Nine Springs Land Ownership



-  Nine Springs Boundary
-  DOWNTOWN FITCHBURG II LLC (T-Wall)
-  GREEN-TECH LAND COMPANY LLC
-  JAMES F HOLMES & ANNA M BOBERSCHMIDT (Holmes)

Prepared by: Planning/Zoning
Source: Planning/Zoning &
Dane County LIO
Created 5/8/2012



EXHIBIT 2

SCHEDULE FOR CONSTRUCTING IN PATHWAYS

(Note: Outlot numbers reflect the plat as being updated by Vierbicher, so they are different than outlot numbers on the plat that was submitted for approval. e.g. outlot 11 of submitted plat is now outlot 13.)

1. Construct 10' wide recreation path in outlot 13 in 2012.
2. Construct 10' wide recreation path from Lacy Road to East Cheryl in or near Outlot 16 in 2014. However, timing of construction shall be revisited if a land division of outlot 17 occurs earlier than 2014.
3. Construct 10' wide recreation path in or near outlot 9 from East Cheryl to north plat boundary in 2016. However, timing of construction shall be revisited if a land division of outlot 7 occurs earlier than 2016.
4. 10' wide recreational trails Connecting to outlot 13 from Greenmarket Place and what is currently shown as outlot 11 (OL 11 is intended future street) will occur as outlot 12 is re-divided and lots adjoining these connections are created. A number of intended connections are shown in the approved SmartCode Article 3 plan.
5. Passage connections as shown in the approved Article 3 plan shall be constructed as the respective outlots in which they are located are re-divided, and adjoining lots created.

FACILITY AMENITY CHART

Civic Spaces-Amenity Requirements			
a. Conservancy (3 Acre Minimum)		b. Neighborhood Park-Special District (5 Acre Min)	
Required	Desired	Required	Desired
All Amenities Group D Bike Racks Kiosk/Posting Area Park Signage benches	Bathrooms Drinking Fountain Parking Area-if feasible Gazebo or Shade Feature	Amenities Group A 4 From Amenities Group B 3 From Amenities Group C 4 From Amenities Group E w/ at least 3 from subgroup A	Except bathrooms may not be required. 3 From Amenities Group B 3 From Amenities Group C 4 From Amenities Group E w/ at least 2 from subgroup A
c. Neighborhood Park (4-5 Acres)		d. Green (1/2 Acre to 3 Acres)	
Required	Desired	Required	Desired
Kiosk/Posting Area Bike Racks Walking Path Bench Park Signage Trees (4 per Acre Min)	Gazebo or Shade Feature Picnic Area & Tables Game Tables (Desired features are required for Greens of over 4 acres) Drinking fountain Prairie areas	4 From Amenities Group F Kiosk/Posting Area Bike Racks Bench Park Signage Lighting/Electrical Access Water Supply Drinking Fountain Trees	4 From Amenities Group F Gazebo or Shade Feature Kiosk/Posting Area Bike Racks Water Supply Drinking Fountain Lighting/Electrical Access
e. Square (1/2 Acre to 5 Acres)		f. Plaza (1/4 Acre to 2 Acres)	
Required	Desired	Required	Desired
	Gazebo or Shade Feature	Patterned paver units Shade Trees (tree wells) 4 other Group F Amenities Lighting Kiosk/Posting Area Bike Racks Water Supply Drinking Fountain Lighting/Electrical Access	Gazebo or Shade Feature
g. Playground (No Size Restriction)		h. Community Garden (No Size Restriction)	
Required	Desired	Required	Desired
4 From Amenities Group E of which at least 2 are from subgroup A Drinking Fountain Bike Racks Bench, picnic table(s) Trees (4 per Acre Min)	Gazebo or Shade Feature Kiosk/Posting Area Bike Racks Tool Shed Fencing for animal control	Community Gardens Water Supply Kiosk/Posting Area Bike Racks Tool Shed	Gazebo or Shade Feature Slide/Multi-play Set
General Requirements			
Selected amenities shall be complementary to provide diversity of experience opportunity through varied amenities and appropriate geographical distribution. Recreational trails/boardwalks shall be installed as necessary regardless of civic space type. Recreational trails are constructed as part of the street improvements. Desired rain gardens in all classifications if applicable.			
Amenities			
Amenities Group A	Amenities Group B	Amenities Group C	Amenities Group D
The Basics	Active Recreation	Group Activities	Conservancy Specific
Open Air Shelter Bathrooms Water Supply Drinking Fountain Lighting/Electrical Access Kiosk/Posting Area Bench Bike Racks Walking Paths Park Signage Trees (4 per Acre Min) Other landscaping and mtd	Volleyball Courts Sand Volleyball Courts Tennis Courts (Min 2) 1/2 Court Basketball Ball Field w/backstop Horseshoe Pits (Min 2 sets) Disc Golf Course Shuffleboard Soccer/Multi Sport Field Ice Skating Rink Lawn Bowling Area	Picnic Area & Tables Barbecue Pits Game Tables Gazebo or Shade Feature Community Gardens Tool Shed	Formal Trail Areas Trail Signage Nature Viewing Area Boardwalks w/Wetland Prairie establishment
Amenities Group E	Amenities Group F	Amenities Group G	Amenities Group H
Children's Activities	Urban Spaces	Performance Spaces	Urban Spaces
Subgroup A Playground Climbing Equip Swingsets Slide/Multi-play Set Jungle Gyms 3 Subgroup B Physical Activity Stations Areas for Crafts	Outdoor Performance Space Game Tables Public Art Formal Landscaping Raised landscape beds Fountains Walkways Required for Plazas: Patterned paver units Shade trees (tree wells)		

Approved by Park Commission May 5, 2011

EXHIBIT 4

LEGAL DESCRIPTION OF LANDS TO BE INCLUDED IN PLAT

All of Certified Survey Map Number 3811 (CSM 3811), as recorded in Volume 15 of Certified Survey Maps, on Pages 336-338, as Document Number 1723755, Dane County Registry, also all of Certified Survey Map Number 4545 (CSM 4545), as recorded in Volume 20 of Certified Survey Maps, on Pages 15-16, as Document Number 1861406, Dane County Registry, also part of the SW¼-NE¼, the SE¼-NE¼, and part of all Quarters of the SE¼ of Section 11, also part of the SW¼-NW¼, the NW¼-SW¼, and the SW¼-SW¼ of Section 12, all in Township 06 North, Range 09 East, in the City of Fitchburg, Dane County, Wisconsin, more fully described as follows:

Commencing at the South ¼ corner of said Section 11; thence N02°08'58"E along the West line of the SE¼ of said Section 11, 2685.19 feet to the Center of said Section 11; thence N02°47'13"E along the West line of the NE¼ of said Section 11, 228.64 feet; thence S88°04'20"E, 40.00 feet to the easterly right-of-way line of Syene Road; thence N02°47'13"E along said easterly right-of-way line, 66.00 feet; thence N88°04'20"W, 40.00 feet to the said West line of the NE¼ of Section 11; thence N02°47'13"E along said West line, 375.34 feet; thence S88°10'05"E, 933.33 feet to the point of beginning and a point on the westerly right-of-way line of the former C. & N.W. Railroad, now owned by the City of Fitchburg and Village of Oregon; thence along said westerly right-of-way line for the next seven (7) courses; 1-thence S05°33'11"W, 243.75 feet to a point of curvature; 2-thence 436.62 feet along the arc of a curve to the right, with a radius of 1828.96 feet, through a central angle of 13°40'40", and a chord bearing S12°23'29"W, 435.58 feet; 3-thence S22°21'23"W, 393.46 feet; 4-thence S27°49'58"W, 263.58 feet to a point of curvature; 5-thence 127.37 feet along the arc of a curve to the left, with a radius of 4126.02 feet, through a central angle of 01°46'07", and a chord bearing S26°56'52"W, 127.36 feet; 6-thence S34°32'58"W, 147.00 feet; 7-thence S25°54'38"W, 84.29 feet to the Southeast corner of said CSM 3811; thence along the boundary of said CSM 3811 for the next five (5) courses; 1-thence N89°38'52"W, 116.00 feet; 2-thence N00°52'16"E, 200.39 feet; 3-thence S88°28'23"W, 36.72 feet; 4-thence N74°35'11"W, 60.11 feet; 5-thence N89°21'50"W, 177.06 feet to the said easterly right-of-way line of Syene Road; thence N02°08'58"E along said easterly right-of-way line, 76.89 feet to boundary line of said CSM 1699; thence S88°06'35"E along the boundary line of said CSM 1699, 168.01 feet to the Southeast corner of said CSM 1699; thence N02°07'43"E along the boundary line of said CSM 1699, 92.50 feet to the Northeast corner of said CSM 1699; thence N88°06'35"W along the boundary line of said CSM 1699, 207.98 feet to the said West line of the SE¼ of Section 11; thence N02°08'58"E along said West line, 96.27 feet to a boundary line of said CSM 3811; thence S88°04'17"E along said boundary line, 40.00 feet to the said easterly right-of-way line of Syene Road; thence N02°08'58"E along said easterly right-of-way line, 10.00 feet to a boundary line of said CSM 3811; thence N88°04'17"W along said boundary line, 40.00 feet to the said West line of the SE¼ of Section 11; thence N02°08'58"E along said West line, 93.57 feet; thence S88°04'17"E, 207.90 feet to a westerly line of said CSM 3811; thence N02°07'43"E along said westerly line, 279.71 feet; thence N88°07'44"W, 207.80 feet to the said West line of the SE¼ of Section 11; thence N02°08'58"E along said West line, 68.50 feet to the Center of said Section 11; thence N02°47'13"E along the West line of the NE¼ of said Section 11, 228.64 feet; thence S88°04'20"E, 40.00 feet to the easterly right-of-way line of Syene Road; thence N02°47'13"E along said easterly right-of-way line, 66.00 feet; thence

EXHIBIT 4

N88°04'20"W, 40.00 feet to the said West line of the NE¼ of Section 11; thence N02°47'13"E along said West line, 375.34 feet; thence S88°10'05"E, 933.33 feet to the said westerly right-of-way line of the former C. & N.W. Railroad, now owned by the City of Fitchburg and Village of Oregon; thence S88°09'57"E, 100.22 feet to the easterly right-of-way line of the former C. & N.W. Railroad, now owned by the City of Fitchburg and Village of Oregon; thence S88°10'06"E, 1634.26 feet; thence S87°36'56"E, 321.66 feet; thence S02°44'33"W, 675.90 feet; thence S88°00'52"E, 216.41 feet to the westerly right-of-way line of State Highway "14"; thence along said westerly right-of-way line for the next four (4) courses; 1-thence S12°06'41"E, 147.72 feet; 2-thence S08°35'36"E, 250.02 feet; 3-thence S01°22'39"W, 241.41 feet; 4-thence S10°13'58"W, 1976.44 feet to the northerly right-of-way line of Haight Farm Road; thence N89°17'55"W along said northerly right-of-way line, 105.76 feet; thence N03°31'49"E, 460.02 feet; thence N89°18'58"W, 202.76 feet; thence N88°01'48"W, 496.90 feet; thence S03°31'38"W, 284.16 feet; thence S03°31'38"W, 265.91 feet to the South line of the SE¼ of Section 11; thence N88°01'48"W along said South line, 1047.28 feet to the East line of Certified Survey Map Number 5045 (CSM 5045), as recorded in Volume 22 of Certified Survey Maps, on Pages 22-23, as Document Number 1964754, Dane County Registry; thence along the boundary of said CSM 5045 for the next four (4) courses; 1-thence N01°58'12"E, 480.00 feet; 2-thence N88°01'48"W, 45.00 feet; 3-thence N64°34'55"W, 452.35 feet; 4-thence S01°58'12"W, 660.00 feet to the said South line of the SE ¼ of Section 11; thence N88°01'48"W along said South line, 362.27 feet to the East line of Certified Survey Map Number 1236 (CSM 1236) as recorded in Volume 5 of Certified Survey Maps, on Pages 147-148, as Document Number 1374490, Dane County Registry; thence along the boundary of said CSM 1236 for the next two (2) courses; 1-thence N01°41'27"E, 200.12 feet; 2-thence N88°01'48"W, 150.00 feet; thence N01°41'27"E, 130.00 feet; thence N88°01'48"W, 108.07 feet to a point of non-tangential curvature and the said easterly right-of-way line of the former C. & N.W. Railroad, now owned by the City of Fitchburg and Village of Oregon; thence along said easterly right-of-way line for the next eleven (11) courses; 1-thence 20.83 feet along the arc of a curve to the right, with a radius of 5798.00 feet, through a central angle of 00°12'21", and a chord bearing N11°38'17"E, 20.83 feet to a point of compound curvature; 2-thence 346.46 feet along the arc of a curve to the right, having a radius of 4889.30 feet, through a central angle of 04° 03'36", and a chord bearing N13°46'16"E, 346.39 feet to a point of compound curvature; 3-thence 491.74 feet along the arc of a curve to the right, with a radius of 3892.40 feet, through a central angle of 07°14'18", and a chord bearing N19°25'13"E, 491.41 feet to a point of compound curvature; 4-thence 298.52 feet along the arc of curve to the right, with a radius of 7845.82 feet, through a central angle of 02°10'48" and a chord bearing N24°07'46"E, 298.50 feet; 5-thence N13°11'37"E, 55.21 feet; 6-thence N24°39'58"E, 387.15 feet to a point of curvature; 7-thence 224.39 feet along the arc of a curve to the right, having a radius of 4060.00 feet, through a central angle of 03°10'00", and a chord bearing N26°14'58"E, 224.36 feet; 8-thence N27°49'58"E, 319.05 feet; 9-thence N26°23'48"E, 382.01 feet to a point of curvature; 10-thence 429.43 feet along a curve to the left, with a radius of 1928.96 feet, through a central angle of 12°45'19" and a chord bearing N11°55'41"E, 428.54 feet; 11-thence N05°33'11"E, 250.26 feet; thence N88°09'57"W, 100.22 feet to the said westerly right of way line of the former C. & N.W. Railroad, now owned by the City of Fitchburg and Village of Oregon and the point of beginning. Said description contains 9,109,225 square feet or 209.119 acres.

Direct Referral
Initiated by

Planning Dept.
Drafted by

May 1, 2012

RESOLUTION R-51-12

A RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING WITH WisDOT
and ADDITIONAL NOTES ON FINAL PLAT REQUEST (FP-1914-12), THE PLAT OF
NINE SPRINGS

WHEREAS, Chris Armstrong, agent for Green-Tech Land Company, LLC has submitted a final plat request (FP-1914-12) for land in the Nine Springs Neighborhood, and

WHEREAS, The Common Council through R-30-12 granted conditional approval to the Plat of Nine Springs, and

WHEREAS, The WisDOT is requiring an agreement with the City titled: "Memorandum of Understanding (MOU) between the City of Fitchburg and the Wisconsin Department of Transportation for Future Transportation Improvements in the Nine Springs Plat" (attached as Exhibit A) in order to avoid future motor vehicle queuing on Lacy Road that would affect the USH 14 interchange, attached as Exhibit A, and

WHEREAS, a Technical Memorandum titled "Nine Springs Neighborhood Planning Analysis" was prepared by Michael May of Traffic Analysis and Design dated April 16, 2012, which identifies future street improvements that may be necessary to avoid conflict with USH 14 or its interchange with Lacy Road, and part of those improvements may require additional right of way on currently platted outlots within the Plat of Nine Springs, and

WHEREAS, WisDOT desires a reference on the plat noting the existence of the Memorandum of Understanding, and the city desires to provide proper notice on the plat of the potential need for additional right of way on certain outlots

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Fitchburg Common Council hereby:

- 1) Approves the Memorandum of Understanding (MOU) between the City of Fitchburg and the Wisconsin Department of Transportation for Future Transportation Improvements in the Nine Springs Plat" (attached as Exhibit A), and
- 2) Approves additional notes on the final plat FP-1914-12, dated 2-16-2012, for the Plat of Nine Springs with the first note to read:
"Additional right-of-way dedication may be obtained from outlots 7, 9 and 10 (were known as lots 5, 7, and 8) to accommodate future intersection improvements at Lacy Road and Central Park Place to avoid conflicts with USH 14 or its interchange with Lacy Road, as outlined on Exhibit 5 of the Technical Memorandum titled "Nine Springs Neighborhood Planning Analysis" and dated April 16, 2012."

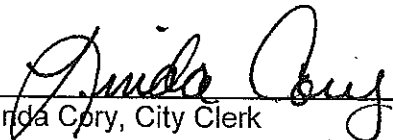
(The outlots are anticipated be known as outlots 7, 9, and 10 on the final recorded plat due to conditions 8 and 9 of R-30-12)

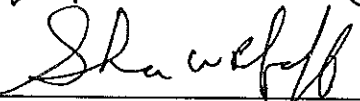
And a second note to read:

"The signed Memorandum of Understanding (MOU) between the City of Fitchburg and WisDOT detailing the TIA analysis and intersection improvements dated May 8, 2012; and City of Fitchburg Resolution No. R-51-12, shall be recorded along with the Nine Springs Subdivision Plat with Dane County Register of Deeds."

Adopted this 8th day of May, 2012

Approved: May 11, 2012


Linda Cory, City Clerk


Shawn Pfaff, Mayor

Shawn Pfaff, Mayor

Introduced by

Public Works

Prepared by

Plan Commission, Board of Public Works, Council

Direct Referred to

February 24, 2015

Date

RESOLUTION R- 15-15
APPROVING FIRST AMENDMENT TO AGREEMENT FOR
SUBDIVISION IMPROVEMENTS IN THE PLAT OF NINE SPRINGS

WHEREAS, the City of Fitchburg Common Council on March 13, 2012, by Resolution R-30-12 approved the final Plat, file number FP-1914-12, for Nine Springs; and

WHEREAS, by R-33-12 the City approved a Subdivision Improvement Agreement for Nine Springs, which is recorded as document number 4872855, and is dated May 11, 2012; and

WHEREAS, due to the unknown relationship of future private improvements to the remaining uninstalled public improvements, the subdivider wishes to have an extension for installation of the remaining uninstalled public improvements within the plat; and

WHEREAS, the Land Division Ordinance allows for staging of public improvements with approval of the Planning Commission; and

WHEREAS, the Plan Commission and Board of Public Works has reviewed and approved the First Amendment to the Agreement for Subdivision Improvements in the Plat of Nine Springs.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Common Council of the City of Fitchburg, Dane County, Wisconsin, hereby approves the First Amendment to the Agreement for Subdivision Improvements in the plat of Nine Springs subject to final review by the City Attorney and the City Engineer; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to properly execute such document.

Adopted this 24th day of February, 2015.

Approved By: _____
Shawn Pfaff, Mayor

Attested By: _____
Patti Anderson, City Clerk